United Nations A/55/484–S/2000/989

General Assembly
Security Council

Distr.: General
13 October 2000
English
Original: French

General Assembly
Fifty-fifth session
Agenda item 41
Question of Palestine

Security Council
Fifty-fifth year

Letter dated 10 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement issued on 2 October 2000 by the Presidency of the European Union on behalf of the European Union on the events on the Esplanade of the Mosques in Jerusalem (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 41, and of the Security Council.

(*Signed*) Jean-David **Levitte**
Permanent Representative of France to the United Nations

00-68976 (E) 131000 131000

Annex to the letter dated 10 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement by the Presidency of the European Union on behalf of the European Union on the events on the Esplanade of the Mosques in Jerusalem

The European Union is deeply concerned at the serious events of yesterday and today on the Esplanade of the Mosques in Jerusalem. It roundly condemns the acts of provocation and violence committed as well as those perpetrated over the last few days in the Gaza Strip and on the West Bank.

In these tragic circumstances, the Union expresses its heartfelt sympathy to the victims and their families.

The Union calls on all sides to refrain from any form of provocation or action which might give rise to further confrontation.

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Letter dated 10 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement issued on 3 October 2000 by the Presidency of the European Union on behalf of the European Union on the situation in Jerusalem and in the Territories (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 41, and of the Security Council.

(*Signed*) Jean-David **Levitte**
Permanent Representative of France to the United Nations

00-68982 (E) 131000 131000

Annex to the letter dated 10 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement by the Presidency of the European Union on behalf of the European Union on the situation in Jerusalem and in the Territories

On the fourth day of bloody clashes between Israelis and Palestinians, the European Union again appeals to those involved to see reason so that the violence stops.

It considers that the disproportionate recourse to force can only further aggravate the situation, increase the already particularly heavy toll of deaths and injuries and cause the prospect of peace to recede at a moment when it seemed that it would before long become a reality.

It is supporting the forming of an international commission to establish objectively what has actually happened over the past few days and is ready to make its contribution to the work of such a commission.

It remains convinced that a negotiated solution is the only way of satisfying the Israeli and Palestinian peoples' aspirations to peace and security.

United Nations A/55/486–S/2000/991

General Assembly
Security Council

Distr.: General
13 October 2000
English
Original: French

General Assembly
Fifty-fifth session
Agenda item 39
Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Security Council
Fifty-fifth year

Letter dated 13 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the Federal Republic of Yugoslavia by the Presidency of the European Union on behalf of the European Union issued on 11 October 2000 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 39, and of the Security Council.

(*Signed*) Jean-David **Levitte**
Permanent Representative

00-69138 (E) 161000 161000

Annex to the letter dated 13 October 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the Federal Republic of Yugoslavia by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the election of Mr. Kostunica as President of the Federal Republic of Yugoslavia.

In voting for him, the people have chosen democracy and Europe. As a result, in accordance with its message to them on the eve of the elections, the Council has radically reviewed the European Union's policy towards the Federal Republic of Yugoslavia. It has taken the following decisions.

1. Sanctions

The Union has decided to lift all sanctions imposed on the Federal Republic of Yugoslavia since 1998, with the exception of the provisions affecting Milosevic and those associated with him.

The Union decided to lift the oil embargo and the air embargo immediately.

2. Economic and financial cooperation

The Council has decided to allow the Federal Republic of Yugoslavia to benefit from the Community Assistance to Reconstruction, Development and Stabilization (CARDS) programme. The activities of the European Agency for Reconstruction will be extended to the Federal Republic of Yugoslavia.

The Union will maintain and extend its humanitarian aid programmes to vulnerable persons resident in the Federal Republic of Yugoslavia, particularly to displaced persons and to refugees from the former Yugoslavia.

The European Union confirms its resolve to make an active contribution to the re-establishment of navigation on the Danube and to participate in feasibility studies for the reconstruction and modernization of the infrastructure of the Federal Republic of Yugoslavia on a regional basis.

The Finance Ministers of the Union will examine, in consultation with the international financial institutions, the conditions for integrating the Federal Republic of Yugoslavia into the international financial community as rapidly as possible.

The Council has asked for the European Commission and the World Bank, under the aegis of the Steering Committee for the Balkans, to be jointly responsible for evaluating the needs and for coordinating economic and financial assistance to the Federal Republic of Yugoslavia.

3. Closer relationship with the European Union

The Council has also decided to propose to the Federal Republic of Yugoslavia that it participate in the stabilization and association process launched at the Cologne European Council. Accordingly, the Council invites the Federal Republic of Yugoslavia to rapidly set up a joint European Union/Federal Republic of Yugoslavia task force to examine ways of progressing towards a stabilization and association agreement.

The Council has asked the Commission to submit to it proposals on extending to the Federal Republic of Yugoslavia the benefit of the asymmetrical Community preferences adopted at the General Affairs Council on 18 September.

By implementing all of these measures without delay, the European Union intends to contribute to the establishment of democracy and the rule of law in the Federal Republic of Yugoslavia, to the success of the major political, economic and social reforms it will introduce and to its opening up to Europe. The full participation of the Federal Republic of Yugoslavia in the Stability Pact for South-East Europe will help in this matter. The Council has asked the Coordinator of the Stability Pact, in his capacity as special envoy of the European Union, to submit to it proposals to that effect as soon as possible.

The 15 European Union Member States each express their desire to re-establish or to normalize their diplomatic relations with the Federal Republic of Yugoslavia as soon as possible.

The European Union also hopes that the Federal Republic of Yugoslavia will start a reconciliation process with its neighbours and will re-establish relationships of trust and cooperation.

The European Union will help meet those objectives as far as it is able.

Accordingly, the President of the Federal Republic of Yugoslavia will be invited to the Zagreb Summit (24 November 2000).

In the context of the mandate on the Balkans defined at the Lisbon European Council, the Council has asked Mr. Solana, Secretary-General, High Representative for the common foreign and security policy, to attach particular importance to relations between the European Union and the new Federal Republic of Yugoslavia and to submit a report to that effect to the forthcoming General Affairs Council.

The French Foreign Affairs Minister, President of the Council of the Union, will travel to Belgrade on Tuesday, 10 October, to inform President Kostunica of these decisions and to invite him to meet the Heads of State or of Government of the Union at the forthcoming Biarritz European Council.

United Nations

S/2000/992

Security Council

Distr.: General
16 October 2000

Original: English

Report of the Security Council mission to Sierra Leone

I. Introduction

1. By his letter dated 20 September 2000 (S/2000/886), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Sierra Leone from 7 to 14 October. The terms of reference of the mission are annexed to that letter.

2. Following consultations among the members of the Security Council, it was decided that the composition of the mission would be as follows:

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock, head of mission)

Bangladesh (Ambassador Anwarul Karim Chowdhury, Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone)

Canada (Ambassador Paul Heinbecker)

China (Ambassador Wang Yingfan)

France (Ambassador Yves Doutriaux)

Jamaica (Ambassador Patricia Durrant)

Mali (Ambassador Moctar Ouane)

Netherlands (Ambassador Peter van Walsum)

Russian Federation (Ambassador Andrei Granovsky)

Ukraine (Ambassador Volodymyr Yel'chenko)

United States of America (Ambassador James B. Cunningham)

II. Activities of the mission

3. Prior to the departure of the mission, the Security Council met informally with United Nations agencies, non-governmental organizations and representatives of Member States contributing military or civilian police personnel to the United Nations Mission in Sierra Leone (UNAMSIL). The purpose of these meetings was to hear a broad range of views on the situation in Sierra Leone and in the subregion.

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Members of the Council also received briefings on the military and security situation in Sierra Leone as well as on the programme for disarmament, demobilization and reintegration. The United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees wrote letters to the mission before departure.

4. The mission left New York on 7 October and visited Guinea (8, 9 and 12 October), Sierra Leone (9-12 October), Mali (12 and 13 October), Nigeria (13 and 14 October) and Liberia (14 October). The Special Representative of the Secretary-General, Ambassador Oluyemi Adeniji, met the mission members at Conakry and travelled with them to all points except Monrovia. In Guinea, the mission met with President Lansana Conté and members of the Guinean cabinet. The mission also met with members of the diplomatic community in Guinea and received a briefing from the representative of the Office of the United Nations High Commissioner for Refugees (UNHCR).

5. In Sierra Leone, the mission held extensive discussions with the Special Representative and senior civilian and military personnel in UNAMSIL. Members of the mission visited various locations where UNAMSIL is deployed — Lungi, Port Loko, Rogberi Junction, Masiaka, Mile 91, Kenema and Daru as well as disarmament, demobilization and reintegration facilities and camps for internally displaced persons and child combatants. The mission held meetings with President Ahmad Tejan Kabbah and senior government officials, with members of the Commission for the Consolidation of Peace, and with representatives of political parties, civil society, United Nations agencies, international non-governmental organizations and members of the diplomatic community.

6. In Mali, the mission held discussions with President Alpha Oumar Konaré, current Chairman of the Economic Community of West African States (ECOWAS), and with senior representatives of ECOWAS countries. In Nigeria, the mission met with President Olusegun Obasanjo and senior members of his Government, with the Minister of Defence and senior defence personnel, as well as with the Executive Secretary of ECOWAS, Lansana Kouyaté and representatives of ECOWAS. Finally, the mission met in Monrovia with President Charles Taylor and received a briefing from the Representative of the Secretary-General in Liberia, Felix Downes-Thomas.

III. Findings of the mission

United Nations Mission in Sierra Leone

7. In accordance with its terms of reference, the mission spent much of its time with UNAMSIL discussing the ways to ensure the full application of the Security Council resolutions on Sierra Leone and the implementation of the measures taken by the Secretary-General to enhance the effectiveness of UNAMSIL. In this regard, the mission found that UNAMSIL had begun to make marked progress after the setbacks and pressures caused by the attacks by the Revolutionary United Front (RUF) against peacekeepers and renewed fighting in May.

8. In the field the mission was impressed by the military professionalism and dedication of the peacekeepers on the ground. The mission was particularly impressed by the excellent work done by UNAMSIL battalions, often using their

own resources, to improve the lives of the people living in their area of operation. In addition to their important peacekeeping tasks, United Nations troops and observers have been voluntarily refurbishing or even starting schools, providing medical assistance, setting up orphanages, sharing food and water with the population, repairing roads and other infrastructure and — to a limited degree — helping to prepare ex-combatants for integration into the economy. In the view of the mission, contingents should be provided with the means to continue this important work through quick impact projects financed through the Trust Fund for Sierra Leone. In addition, it would be useful to deploy more civilian affairs and human rights officers to the areas where UNAMSIL units are established.

9. Members of the mission noted that different contingents had different perceptions of the mandate and tasks of UNAMSIL. To some extent, this stems from national perceptions, but it may also be linked to a lack of precision in elements of the mandate itself. In the view of UNAMSIL, it is for the leadership of the mission to streamline these perceptions into a common view of its mandate and tasks, for example, through regular internal briefings and training programmes.

10. The mission received briefings from UNAMSIL on the implementation of the measures taken by the Secretary-General to enhance the effectiveness of UNAMSIL, as recommended by the assessment team which visited the mission area from 31 May to 8 June 2000. In this regard, UNAMSIL stated that most measures recommended by the assessment team had been implemented on the ground and that, as a result, considerable progress had been made with regard to communication and coordination within the mission, as well as with United Nations agencies and non-governmental organizations. The mission considered, however, that there were still significant shortcomings in a number of areas. It was evident that, in certain cases, implementation of the recommendations of the assessment team had taken place in name but had yet to become reality. The key areas to be addressed are the continued efforts needed to achieve full integration with headquarters, better coordination of the logistic effort and the arrangements for contingent-owned equipment. The mission can confirm that progress is being made. Some areas, however, not least the equipment of troop contributors require action by United Nations Headquarters and the troop contributors themselves. The so-called wet-lease arrangements clearly also need review.

11. The withdrawal of the Indian contingent from UNAMSIL obviously constitutes a serious loss. These very professional soldiers have made an important contribution to UNAMSIL and to civilian life in their areas of deployment. Members of the mission consider that their replacement should be carried out without leaving a security vacuum that could be exploited by RUF. Freedom of movement on the road from Kenema to Daru would facilitate the handover to incoming battalions but would raise the numbers required in that area.

12. The mission noted that the civilian components of UNAMSIL have also made important strides in their work with regard to coordination with their military colleagues. They are understaffed, however. Their staffing should be brought up to authorized levels so that they can contribute fully to the overall work of UNAMSIL, in particular in the areas of human rights, public information and civil affairs.

13. There was general agreement among the mission's interlocutors that the strength of the force needed to be increased in order to deploy in strength throughout Sierra Leone, including the border with Liberia and the diamond-

producing areas. According to several senior military officers in UNAMSIL, this could be done under the terms of the current mandate of UNAMSIL. Other senior defence interlocutors, including the Nigerian Minister of Defence, argued for a more robust mandate. President Obasanjo, as well as Mr. Kouyaté, emphasized that ECOWAS countries stood ready to provide the necessary troops. In the case of Nigeria, such troops could include those units currently being trained and upgraded through the bilateral assistance of the United States of America, although the Nigerian Minister of Defence informed the mission that these units might be used for other purposes, as well as to relieve or augment the number of units currently serving in UNAMSIL, or as part of a mission authorized by ECOWAS. At the same time, the Government of Nigeria was working to procure the necessary equipment to bring its units in UNAMSIL to the required levels of equipment and support. However, this was a slow process which required significant resources.

14. In this regard, President Obasanjo informed the mission that he had made it clear to RUF and its supporters that he was prepared, if necessary, to send Nigerian troops to take over the diamond zones in Sierra Leone. The death of any soldier would, however, be taken extremely seriously by Nigeria. He believed that any such deployment of Nigerian troops would require air cover.

15. President Taylor said that the best way forward would be to revisit the Lomé Agreement. In addition, he felt that a government of national unity should be set up after President Kabbah's term expires. Security in Sierra Leone should be the responsibility of UNAMSIL only. ECOWAS troops should deploy into the diamond areas as soon as possible; it was not necessary to wait for the new troops that were being trained with the assistance of the United States of America. It was important that UNAMSIL stay neutral, only using force when provoked. Once UNAMSIL was deployed, all armed groups in Sierra Leone, including the army, should be disarmed and demobilized. In due course, ex-combatants should be able to apply for the new Sierra Leonean army.

16. Mr. Kouyaté provided members of the mission with a comprehensive assessment of the situation in Sierra Leone and the region. In the view of ECOWAS, the situation in Sierra Leone required a continuation of the two-track approach of military pressure on RUF and, at the same time, a dialogue to convince them to demobilize and cooperate. The alternative to this approach would be military action to seize control of RUF-held territory. To implement the two-track approach, it would be necessary to increase the strength of UNAMSIL, to which end the ECOWAS member States would be ready to contribute troops. With regard to the second, political track, there was a need to establish and maintain a dialogue with the RUF leadership.

Sierra Leone

17. During the mission's meeting with President Kabbah, he and members of his cabinet presented the views of the Government on the areas covered by the terms of reference of the mission. The political aim of the Government was to establish and maintain a free, democratic, independent and united country that was politically and economically stable and sustainable. To achieve these aims, the Government intended to work closely with UNAMSIL and its regional partners.

18. The Government expressed its full support for the draft resolution on UNAMSIL (S/2000/860) and expressed the hope that UNAMSIL would soon receive further well-trained and well-equipped troops, as well as additional command, planning and support elements. The Government would be prepared, with international assistance, to extend democratic and civil administration structures across Sierra Leone. In this regard, it has recently passed legislation and established a government body to fight corruption.

19. The Government briefed the mission on its ambitious plan for the training and equipping, with international assistance, of its armed forces. The aim of the Government was to develop, within a short period, a capacity to extend security more broadly across the country and to exert strong military pressure on RUF. This would depend, to a large extent, on the Government's ability to sustain and support its troops and to provide the necessary leadership. In this particular briefing, members of the mission noted that the Government appeared to place relatively greater emphasis on military pressure on RUF rather than on pursuing a political process. The Government's approach clearly depended strongly on the continued presence of UNAMSIL in the country. The Government had also developed plans to incorporate the Civil Defence Force into a territorial defence force which would serve as an auxiliary to the army. Mission members commented that this would require careful political and military coordination.

20. The Inspector-General of Police briefed the mission. The rehabilitation of the civilian police in Sierra Leone, starting virtually from scratch, was hampered by a serious lack of resources, infrastructure and lack of access to RUF-held areas. However, some progress had been made towards an accountable police force operating on the basis of community policing. The Sierra Leonean police force was working closely with the UNAMSIL civilian police and human rights component.

21. While visiting locations outside Freetown, members of the mission were struck by the deep desire of Sierra Leoneans to lead a normal life in peace and by their commitment to that objective. There also appeared to be a need for the Government in Freetown to establish stronger links with regional and local government structures in areas to which it had access. In Freetown, the mission met with leaders of the 17 political parties in Sierra Leone, the professed desire of which for national unity was not matched by concrete ideas to develop this in practice.

Revolutionary United Front

22. The mission heard a range of views on the current strength and intentions of RUF. The prevailing analysis was that RUF is divided into several groups: it was not certain that its commanders would respect the political leadership of the newly appointed interim leader of RUF, Issa Sessay. Many interlocutors felt that a significant portion of the rank and file of RUF would be willing to disarm but were not allowed to do so by their commanders, who often used brutal methods, including execution, to prevent fighters, including children, from leaving.

23. Most of the mission's interlocutors, including those at the most senior levels, had no doubt that President Taylor exercised strong influence, even direct control, over RUF. In the assessment of many, the main objective of RUF was to maintain control of the diamond-producing areas. Some suspected a continuing latent ambition to seize power by force, although most believed that the imprisonment of

Foday Sankoh had dulled this aspiration and that the presence of UNAMSIL was serving as a deterrent. However, recent redeployments of RUF within Sierra Leone were reportedly linked to incursions into Guinea with the aim of creating instability there. Few doubted that rebels might attempt to take advantage of any power or security vacuum in the west of Sierra Leone.

24. The mission was told of a number of recent contacts with RUF by regional leaders, the ECOWAS secretariat and the UNAMSIL military leadership, as well as contacts by UNAMSIL patrols in the field. Most of the mission's interlocutors, including regional leaders, considered that contacts with RUF should be stepped up while fighting remained at a low level, with a view to establishing a proper dialogue.

25. President Obasanjo did not conceal his view that President Taylor, with whom he would ideally wish to cooperate, was the most difficult factor in the region and exercised control over RUF. It would be important to use a mixture of dialogue (not negotiations, President Obasanjo said, but discussions to build their confidence) and the show of credible force to make RUF demobilize and cooperate with a view towards peace. This would require the transformation of RUF into a political party, for which it would need assistance. In his view, members of RUF would be ready to disarm. To help maintain contact with RUF, President Obasanjo suggested that UNAMSIL establish a small liaison office in Monrovia. This deserves consideration.

26. President Obasanjo informed the mission that he had recently been in touch with RUF. Although the interim leader, Issa Sessay, was present, "Colonel" Gbao and Gibril Massaquoi had been the main spokesmen. RUF had indicated that it would disarm after ECOWAS troops within UNAMSIL were deployed into the diamond areas.

27. In President Taylor's view, most members of RUF wanted peace and its new leadership was prepared to allow the deployment of peacekeepers into its areas and to return United Nations weapons and equipment. President Taylor said that he would be ready to facilitate a meeting to obtain a ceasefire, which could be held at Bamako or Abuja. Following a ceasefire, UNAMSIL, preferably ECOWAS contingents, would be expected to deploy into RUF areas and disarm its combatants. Since RUF had already formed a political party, it should now be encouraged to follow the political path. However, the bulk of the former political leadership was in jail. Therefore, a rapid investigation was needed to determine who was liable for prosecution.

28. In this regard, Mr. Kouyaté said his contacts with RUF indicated that it might be ready to commence a political dialogue. However, it claimed that this would only be possible if the political cadre of RUF were released from prison in Freetown and if funds were made available for their travel to a venue outside Sierra Leone for discussions. Mr. Kouyaté and others made clear that the participation of Foday Sankoh could not in any way be considered. ECOWAS believed that the release of prisoners could not be a condition for talks since RUF had designated an interim leader. Furthermore, Freetown would be the best place to hold meetings. ECOWAS was considering organizing a meeting of the Joint Implementation Committee set up under the Lomé Agreement. It was also hoped that ECOWAS would soon reconvene its committee on a ceasefire for Sierra Leone, which would work towards the earliest possible conclusion of a formal ceasefire agreement.

29. It was the understanding of the Government of Sierra Leone that the Lomé Agreement would require a review, in particular with regard to the participation of RUF in government or public office. Despite the briefing mentioned in paragraph 19 above, the Government overall appeared to remain committed to a two-track approach. This would include maintaining strong military pressure on RUF through the progressive deployment of the Sierra Leone Army and through the presence of UNAMSIL. At the same time, the Government indicated that it would keep open the possibility of contact with RUF, as well as of RUF participation in the political process in due course after it had disarmed and demobilized completely. Also, the Government did not preclude the participation of RUF ex-combatants in the new armed forces of the country, which are being created and trained with international assistance.

30. The view was firmly and frequently expressed within Sierra Leone that the cause of many of the country's problems lay in the support provided to RUF by President Taylor, motivated partly by his own political and security concerns and partly by his interest in profits from diamonds mined in Sierra Leone. The majority of the mission's interlocutors in Sierra Leone appealed to the international community to make every effort to dissuade President Taylor from supporting RUF and causing unrest in the subregion. President Taylor later vigorously denied these activities (see para. 43 below).

31. The mission visited several demobilization camps and held discussions with representatives of the National Commission on Disarmament, Demobilization and Reintegration and the National Commission for Resettlement, Rehabilitation and Reconstruction on the programme of disarmament, demobilization and reintegration. Members of the mission concluded that the programme was a vital element in the peace process. They noted, however, that there was considerable room for improvement in the management and execution of the programme, in particular in the area of reintegration. The absence of viable reintegration plans and programmes had led to the overcrowding of disarmament, demobilization and reintegration camps, which was compounded by the large numbers of dependants that accompanied ex-combatants. Members of the mission suggested enhancing the role of UNAMSIL in the programme, within the limits of its mandate and bearing in mind the Government's ownership of the programme.

Elections

32. President Kabbah informed the mission of his intention to organize elections towards the end of 2001. His present term would expire in February 2001 and, according to the Constitution of Sierra Leone, could be extended by parliament for six months. At the same time, various elements of Sierra Leonean society, United Nations agencies and non-governmental organizations, as well as several of the mission's interlocutors in the region, expressed serious doubts that the environment in Sierra Leone would permit the holding of free and fair elections. Many therefore preferred to see "peace before elections". In this regard, President Obasanjo informed the mission that some Sierra Leonean contacts had expressed to him the need for a three-year transitional government before elections could be held.

Regional dimensions of the crisis

33. From the outset of the mission, when the members were briefed by the diplomatic community and United Nations agencies in Conakry, it became clear that the impact of the conflict in Sierra Leone on the situation in the region was increasing alarmingly. The mission heard from the Presidents whom they met the unanimous message that they were deeply disturbed by the deterioration and were keenly aware of the risks posed by a further spillover of the conflict in Sierra Leone, in particular to Guinea. In their meetings with the mission, the President and Government of Guinea showed deep concern about the attacks from Liberia and Sierra Leone, which had led to the deaths of hundreds of Guineans. In the view of President Conté, echoed subsequently by President Obasanjo, the destabilization of the subregion was being caused by Liberia, with the complicity of others in the region. He denied that Guinea had ever supported Liberian dissidents and he requested that the international community take steps to dissuade President Taylor from this course of action. In his view, there should be no negotiations with the rebels; the best approach would be to defeat them militarily.

34. President Conté welcomed the decision in principle of ECOWAS to deploy troops on his borders, but noted that resource constraints would hamper the implementation of that decision. Guinea therefore suggested that the United Nations assist in their deployment. The establishment of a buffer zone would be an alternative. When asked which role the Mano River Union could play in the conflict, the President answered that it was of little value when two of its member States were in conflict with the third.

35. President Obasanjo suggested that bilateral assistance in providing security along the borders could come from Nigeria and Mali, which would require support from the United Nations. ECOWAS was considering placing observers on the border, as well as a maritime contingent. This could perhaps also be done by the United Nations. He had counselled President Conté to give priority to internal reconciliation. It was vital for the international community to support Guinea since a breakdown in that country would have disastrous results.

36. Within Guinea, the recent statements issued by the Government had generated negative sentiments towards Sierra Leonean and Liberian refugees in the country, the majority of whom had been absorbed without difficulty into Guinean society. The presence of refugees within its borders and the potential influx of additional refugees in the future was clearly putting a heavy strain on the scarce resources available for humanitarian assistance. UNHCR supported the relocation of refugees away from the border, at the request of the Government of Guinea, which would require resources as well as a favourable political environment in Guinea. In spite of these pressures, President Conté assured the mission that he would do his best to provide protection and security for refugees and humanitarian workers.

37. The Government of Sierra Leone, for its part, was deeply concerned that the conflict was now destabilizing the subregion, with serious humanitarian as well as political and economic consequences. They asked for outside assistance to cope with the movements of refugees and internally displaced persons. They also asked for Security Council assistance in strengthening the Mano River Union and its institutions in order to enhance its cohesiveness and the security of its member States.

38. President Konaré stressed that a regional approach needed to be taken in addressing the conflict in Sierra Leone, which also affected Guinea, Liberia and Sierra Leone. In this regard, he proposed that three steps be taken urgently, namely, (a) the establishment of a broad-based partnership involving the United Nations, ECOWAS, the Government of Sierra Leone and major players within the international community, which should formulate and implement a coordination strategy for the subregion aimed at promoting Governments' observance of democratic principles and the rule of law, as well as regional integration; (b) the international community should assist in improving the capacity of ECOWAS to address subregional and regional issues, such as the proposed regional investigation into the illegal trade in Sierra Leonean diamonds; and (c) ensuring the close involvement of the political parties and civil society in the peace efforts in Sierra Leone and other countries in the subregion. President Konaré feared that, should our collective efforts fail, the region would be at the mercy of an "internationale" of destabilization.

39. President Konaré announced three important initiatives being taken by ECOWAS to lower tensions between the Mano River Union member States, namely, (a) the stationing of an ECOWAS political representative in Freetown; (b) the convening in Abuja, on 17 October, under the auspices of President Obasanjo, of a meeting aimed at clarifying the mandate of the Committee of Six on a ceasefire prior to its dispatch to Freetown to obtain a ceasefire agreement between the concerned parties; and (c) the convening in Freetown on 23 and 24 October of a meeting of the Joint Security Committee of the Mano River Union at the ministerial level. President Konaré also announced the forthcoming dispatch of a technical assessment team to look into the deployment of ECOWAS observers along the border between Guinea and Sierra Leone, as well as the deployment of observer teams to various capitals in the region. He requested that international assistance be provided to ECOWAS in these efforts. He stated emphatically that no problem in West Africa could be solved without Nigeria, whose presence in any ECOWAS force was essential. Nigeria should be an active driving force in the region, rather than a regional policeman.

40. Mr. Kouyaté said that the extension of the conflict from Liberia to Sierra Leone and now Guinea was of great concern to ECOWAS member States. Any further extension had to be stopped, which was why ECOWAS had tried to strengthen the Mano River Union. However, there was little or no confidence among the leaders in the Union.

41. Mr. Kouyaté informed the mission of the preparations by ECOWAS to implement its decision to deploy military personnel to the Guinean borders. A small verification team would shortly be dispatched to the area to investigate the accusations and counter-accusations made by Guinea and Liberia. A team of five Malian and five Nigerian officers would thereafter travel to the region to make an assessment of the situation on the ground and of the logistic requirements for a substantial deployment. In view of the limited capacity of ECOWAS, international financial and logistical assistance would be needed to deploy and maintain a force on the ground. It was obvious that no force would be able to completely seal off a 1,000-kilometre border in difficult terrain. The purpose of the deployment of troops at the border would be to deter any incursion by armed groups and thus contribute to stability in the subregion. It would be important to consider how the envisaged ECOWAS presence would coordinate its activities with UNAMSIL.

Diamonds and arms

42. Many of the mission's interlocutors conveyed their concerns about the links among the armed groups operating in the country, the trade in illegally mined diamonds and the influx of weapons into the region. In this regard, the certificate-of-origin regime for rough diamonds that had recently been established by the Government of Sierra Leone would be an important first step towards curbing the contribution of the diamond trade to the instability of the region. The mission was informed that the ECOWAS regional inquiry to investigate the trade in illegal diamonds had yet to be convened and the hope was expressed that the inquiry would cooperate closely with the United Nations panel of experts on this issue.

43. Mr. Kouyaté reminded the mission that ECOWAS had adopted a moratorium on small arms, which would benefit from further support from the Security Council. Obviously, the ECOWAS moratorium could not by itself stop the arms flow, and the supporting action of arms manufacturers and weapon-exporting countries would be essential. When asked by the members of the mission, President Taylor said that his Government was not involved in the smuggling of diamonds and arms and that Governments accusing Liberia of this should come forward with the evidence that supported such accusations. Members of the mission made clear to him the feelings in the region on this matter and warned that the instability and isolation of Liberia could increase if its activities went beyond its legitimate security interests.

Humanitarian aspects

44. The Government of Sierra Leone wanted UNAMSIL to ensure that all parties to the Lomé Agreement observed their obligation to allow the necessary freedom of movement for the delivery of humanitarian assistance. The humanitarian community in Sierra Leone voiced serious concern about the lack of access to the RUF-held areas, which was depriving many Sierra Leoneans of vital support. This was further compounded by the lack of food in these areas, since few people had been able to raise crops in the current farming cycle. With regard to the disarmament, demobilization and reintegration programme, some non-governmental organizations considered that rebuilding communities would help to create incentives for fighters to give up their arms and return home. The mission could not otherwise gauge the humanitarian situation at first hand, but it was clear from the reports they heard that the situation remained extremely serious, especially for women and children.

45. As for the situation in Guinea, the mission gained the clear impression that urgent action would be required by the international community to deal with the presence and movements of refugees and internally displaced persons throughout the subregion. The Government of Guinea had developed a plan to relocate Sierra Leonean refugees away from the border area, for which it would need assistance. It would be important for United Nations agencies to continue to develop a common approach to the humanitarian problems in the region.

46. Guinea assured the mission that it would continue to host and shelter refugees from Sierra Leone in particular, and that it was taking measures to ensure the security of humanitarian workers. However, President Conté considered that all refugees should be screened to identify troublemakers. He called for international assistance for the repatriation of those able to return home, for the movement of

refugees to camps away from borders and for assistance for Guinean internally displaced persons.

Special Court

47. The Government of Sierra Leone referred to the need for an effective information campaign to explain to the public the limits of the powers of the Special Court and the delay in the commencement of its operations. The Government considered that the Court should have powers under Chapter VII of the Charter of the United Nations so as to ensure that it had sufficient authority to try any individual under international and domestic law, including the requirement upon third countries to surrender persons subject to the jurisdiction of the Court. The Government also indicated that it preferred to appoint a co-prosecutor rather than a deputy prosecutor.

48. The Government encouraged the Security Council to expedite its decision on the Special Court so that trials could start in a reasonable time (i.e., six months), since the Government could not hold suspects indefinitely. In the view of President Kabbah, the United Nations should ensure adequate funding and material support for the Special Court, to be provided from assessed contributions, in collaboration with the Government. In general, the Government would be content to abide by the decision of the Security Council on the Court, including on temporal jurisdiction.

49. Several of the mission's interlocutors, in particular non-governmental organizations and civil society, stressed the negative impact of the establishment and jurisdiction of the Court on the minds of ex-combatants who could be more reluctant to come forward to disarm for fear of prosecution. The Truth and Reconciliation Commission, they considered, would be a better alternative for the many child combatants still with RUF. Clear criteria and an effective information campaign, reaching out to this vulnerable group, would be essential to explain the limits of the Court's jurisdiction and the alternative systems available.

50. The possibility that children could be prosecuted by the Special Court was the subject of animated debate in Sierra Leone and there appeared to be no prevailing view. In the view of the Government of Sierra Leone, the Court should prosecute those child combatants who freely and willingly committed indictable crimes. On the other hand, non-governmental organizations and United Nations agencies, especially those engaged in the protection of children, favoured excluding those under the age of 18 years. In Lungi, the mission heard a passionate appeal from a 14-year-old ex-combatant, on behalf of his fellows, not to try any children. Members of the mission made it publicly clear that the purpose was to indict only those persons who bore the greatest responsibility.

IV. Conclusions and recommendations

51. The complexity of problems in Sierra Leone and its neighbours represents an extraordinary challenge, which requires extraordinary action. Since the eruption of the current phase of the crisis, Sierra Leone has been the focus of sustained international attention. The Security Council, other parts of the United Nations system, ECOWAS, the international financial institutions, individual donors and

international non-governmental organizations are all heavily engaged. Each can do and is doing much to address the different aspects of the crisis and its underlying causes. The ideas, energy, commitment and resources are there, but some of the key actors continue to work in unharmonized and, in certain cases, competing directions. Among the Government, ECOWAS and UNAMSIL, and in each of them, we found different perceptions of the reality on the ground, and of policy objectives and the strategy and means necessary to meet them.

52. The mission concluded that the highest priority must be given to the coordination of a comprehensive strategy with clear objectives. Only when all stakeholders — the Government and people of Sierra Leone, the region and the international community — act together through an agreed and interlocking approach will the latent potential for the country and the region to emerge from the current crisis be fulfilled. **Our first recommendation, therefore, is for the establishment of a United Nations-based mechanism for overall coordination (see para. 55 below).**

53. The mission assigns a similar priority to intensifying the momentum of the peace process. Military measures to enhance security in the country and on its borders should be pursued urgently: those intent on continuing the rebellion must be effectively deterred. The current tentative indications of RUF interest in dialogue must, however, be thoroughly and quickly explored. The mechanism for this must take account of a variety of views within RUF, a variety of political actors and a variety of potential channels. **The Special Representative of the Secretary-General might wish to give high and immediate priority to the coordination of active contacts, liaising in particular, beyond UNAMSIL itself, with Presidents Kabbah, Conté, Konaré, Obasanjo and Taylor.** He should keep the Security Council informed.

54. A comprehensive strategy requires action on the following core elements:

(a) Peace process. Most of the fundamental principles underlying the Lomé Agreement remain valid. While a return to the status quo ante is not envisaged, the conclusion of an effective ceasefire and the withdrawal of RUF from key areas of the country, in particular the diamond fields, as stipulated in the Agreement, must remain key objectives. A renewed dialogue both with RUF leadership and with commanders and combatants at the local level should be pursued immediately, using the levers and channels with the greatest potential both in the region and in the country. The latest efforts by ECOWAS to resume dialogue with RUF through the Joint Implementation Committee deserve the support of the Security Council and should be coordinated with the Government of Sierra Leone, with the advice of the Special Representative of the Secretary-General. **The process should, inter alia, cover an early ceasefire throughout the territory of Sierra Leone, agreed arrangements for withdrawal, the return of all seized UNAMSIL weapons and equipment, and the opening up of humanitarian and other access in the north and east of the country.** The mission carefully noted suggestions that RUF might now be prepared to permit UNAMSIL deployment into the diamond-producing areas, and thought that this required further exploration, in accordance with the concept of operations set out by the Secretary-General in his report (S/2000/832). The peace process should also focus on disarmament, demobilization and reintegration in order to attract full participation by ex-

combatants in a revived and better funded disarmament, demobilization and reintegration programme (see below). This will, however, also require guarantees from RUF that their cadres can enter it freely and without intimidation;

(b) Special court. In the context of the peace process, the Security Council and the Sierra Leonean authorities will need to reflect carefully before taking any final decisions on the scope of the Special Court (see paras. 47-50 above). The right balance must be struck between the requirements of justice and the need to minimize any potential disincentive to entering the disarmament, demobilization and reintegration process that the threat of prosecution may represent — especially to child combatants. The mission is not otherwise making any direct recommendations on the establishment of the Special Court, since this requires further discussion by the Security Council. The Truth and Reconciliation Commission will be an essential instrument in the wider reconciliation process;

(c) Military aspects. The military track remains an indispensable element of the peace process. Only a sustained and effective military instrument, with the capability to extend its reach throughout the country and following clear political and military objectives, can maintain pressure on RUF and create incentives for dialogue and disarmament. **To meet these challenges, UNAMSIL must be strengthened in terms of numbers, effectiveness and capability, as recommended by the Secretary-General (see S/2000/832), taking advantage of the offers of further troops from, inter alia, ECOWAS countries**. Strong regional involvement on the ground is as critical to the long-term success of the United Nations peacekeeping presence as is strong regional political leadership. At the same time, both within UNAMSIL and internationally, including present and potential troop-contributing countries, there needs to be a complete and thorough understanding of the stance, tasks, mandate and concept of operations of UNAMSIL, and how they work to meet the wider objectives of the Government and people of Sierra Leone, the region and the international community. The combination of firm, proactive peacekeeping, within the flexibility authorized by the resolutions, and the implementation of our broader recommendations can exert a significant impact on a rebellion, many members of which are looking for a road to life without conflict;

(d) Regional dimension. No lasting progress can be made in Sierra Leone without comprehensive action to tackle the current instability in the West African region, in particular in the Mano River Union member countries. Regional leaders were clearly of the opinion that President Taylor's relationship with RUF was a key to the situation in Sierra Leone, and that continued action was necessary to persuade him to use his influence to positive, rather than negative, effect. Illicit trafficking in diamonds and arms, the proliferation and encouragement of thuggish militias and armed groups, and the massive flows of refugees and internally displaced persons resulting from their activities must be addressed directly (the forthcoming report of the panel of experts is expected to provide concrete recommendations on diamonds and arms, and ECOWAS is implementing a well-prepared small arms moratorium). The region, through ECOWAS, is showing encouraging willingness to take the lead, under its current Chairman, in undertaking

specific action in these areas. The international community as a whole must be prepared to act in urgent support, both through material assistance for regional security initiatives and by exerting pressure on those most responsible for fomenting instability for selfish advantage. In this specific context and to help the wider objective of supporting capacity-building within the region, **the Security Council and individual Governments should look positively at what they can do to support the decision by ECOWAS to prepare for and deploy an ECOWAS observer force on the borders of the three Mano River Union member countries, in coordination with UNAMSIL. The Government of Guinea in particular needs encouragement and support to provide access and protection for humanitarian personnel and aid**. The Secretary-General should be requested to comment on these regional aspects in his reports to the Council on UNAMSIL. The disturbing situation in Côte d'Ivoire may also need to be watched;

(e) Disarmament, demobilization and reintegration. A thorough overhaul and reorientation of the disarmament, demobilization and reintegration programme is required. Effective management of the programme and development of the reintegration and rehabilitation elements in particular are vital, for example, through quick impact projects and stimulation of economic activity. Ex-combatants must be processed through the system more quickly and better provision made for their dependants. **The Security Council should give early consideration to whether the balance of responsibilities in the programme among the Government, the World Bank, UNAMSIL and bilateral agencies can be improved, following the publication of the report of the assessment team sponsored by the World Bank. The United Nations should encourage the further cooperation of civil society and non-governmental organizations in making reintegration a reality;**

(f) Role of Government. The primary responsibility for the resolution of the conflict must rest with the Government, Parliament and people of Sierra Leone. No coordinated strategy for the country can be taken forward unless the Government and the people of Sierra Leone themselves feel a sense of ownership of the process and demonstrate the political will to achieve genuine national reconciliation. The Government, with sustained international assistance, can do more to develop and communicate its vision for taking the peace process forward, as well as its strategic planning for economic and social development. Equally, the region and the international community should ensure that the Government of Sierra Leone is consulted at every level of planning and coordination on the future of the country, to help develop this sense of ownership, contribute to economic development, and build capacity and institutions countrywide. The country faces daunting problems in these areas, and the lack in particular of political cohesiveness and of political and administrative structures outside the capital is an alarming consequence of the conflict. **Advice and financial help on a communications and public awareness strategy would be especially useful;**

(g) Human rights and humanitarian assistance. There is growing evidence of hunger and disease in areas to which humanitarian organizations have no current access. **The mission recommends that UNAMSIL and ECOWAS explore with RUF the possibility of access under conditions of adequate security for a needs assessment to be conducted in the areas**

under its control, and for safe access for the delivery of humanitarian assistance thereafter. Abuses of human rights, including rape, physical abuse and extortion, remain widespread, with women and children particularly vulnerable to assault. All components of UNAMSIL, including the military, should accelerate its efforts to work with the Government and civil society to develop an environment of respect for human rights. A high priority should be to raise the awareness in Sierra Leonean society of the need for a concerted conciliation process. **The current vacant human rights posts at UNAMSIL should be filled as soon as possible, and military units reminded of their obligation, within the mandate, to protect civilians, something which is not always happening. The proposed Human Rights Commission should be established as soon as possible, in cooperation with the Office of the United Nations High Commissioner for Human Rights. Rehabilitation and reintegration programmes should be targeted towards protecting the rights of women and children. The promised Commission on War-affected Children should be established, and the international community should be encouraged to support and assist in the assessment of the needs of the juvenile justice system. The international community should also assist by providing child protection and advocacy experts to serve as required on the staffs of the Special Court and the Truth and Reconciliation Commission**.

Overall coordination

55. Together with efforts to develop a comprehensive strategy, there must be an effective, sustainable coordination mechanism in the region to drive and implement it. Current efforts are praiseworthy but inadequate. Consultation on important developments and initiatives is incomplete, and partnership is often more an aspiration then a reality. Further thought should be given to the best format and participation for an appropriate coordination mechanism. **It is clear that, at a minimum, the Security Council and the Secretariat, ECOWAS, UNAMSIL troop-contributing countries and the Government of Sierra Leone need to consult through some form of continuous structure rather than simply a series of meetings held at regular intervals**. The leadership of ECOWAS is displaying energy and vision, but the organization itself — by its own admission — lacks sufficient resources and expertise to carry forward and implement its initiatives, such as the proposal to place ECOWAS military observers on the borders. **As a key first step, the mission recommends an immediate package of international assistance to help the ECOWAS secretariat to develop its capacity, including the placing of UNAMSIL liaison staff at ECOWAS headquarters**.

56. These are tough messages and demanding proposals, but Sierra Leone is a challenge that the United Nations and the international community as a whole should gather the collective will to meet. It is a small country, rich in natural resources — not the least of which are its resilient and hopeful people, who have been let down too many times by their own leaders and by influences and circumstances beyond their control. We owe it to them to do our utmost together to unlock the doors to the peace, stability and development that they so desperately yearn for and deserve. The Security Council and the international community as a

whole can provide much of the focus and resources needed to help realize that vision; we must continue to show the commitment and resolution to deliver it.

57. Members of the mission pay tribute to the energy, selflessness and courage of all those working on the ground to bring Sierra Leone its peace and sustained stability. The Special Representative and his team and large numbers of UNAMSIL headquarters and field staff, as well as the offices of the United Nations Development Programme in the region and the United Nations Office in Liberia, proposed and executed an impeccable programme for the mission and earned its deep gratitude. The mission expresses the warmest thanks to all those, from heads of State downwards, in five countries, who looked after it with such generous hospitality. The service of the crews of the Royal Air Force of the United Kingdom who flew them safely and comfortably for 17,000 kilometres was especially appreciated. Finally, 11 Ambassadors humbly acknowledge that they could not have accomplished their week's work without the skilful, resourceful and intelligent support of the Secretariat and companion teams.

United Nations A/55/490-S/2000/993

General Assembly
Security Council

Distr.: General
16 October 2000

Original: English

General Assembly
Fifty-fifth session
Agenda items 36, 40, 41 and 85

Security Council
Fifty-fifth year

Bethlehem 2000

The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 16 October 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In follow-up to my last five letters, dated 29 September 2000, 2 October 2000, 4 October 2000, 9 October 2000 and 12 October 2000 (A/55/432-S/2000/91, A/55/437-S/2000/930, A/55/450-S/2000/957, A/55/466-S/2000/971, A/55/474-S/2000/984, respectively), I regret to inform you once more that Israel, the occupying Power, continues with its campaign of terror against the Palestinian people and continues to massacre and injure more Palestinian civilians. Israel, the occupying Power, has persisted in its campaign in total disregard of Security Council resolution 1322 (2000) of 7 October 2000.

Since my letter dated 9 October 2000, to which were annexed the names of martyrs killed between 4 and 8 October 2000, until today, the Israeli occupying forces have killed 11 more Palestinians, bringing the total number to 87. (The names of the martyrs are contained in the annex to the present letter.) The number of those injured has also increased, rising to over 3,000, many of whom are in critical condition.

In addition to the above, Israel, the occupying Power, has intensified the severe restrictions it has imposed on the movement of persons and goods. At the present time, there is a virtual siege imposed by the occupying Power on the entire Occupied Palestinian Territory, including Jerusalem, which has already caused great difficulties for the population. This siege has included the shutting down of the air space of Gaza International Airport, as well as the closure of other international crossing points.

00-69270 (E) 161000

We regret that the Security Council did not respond, on 12 October 2000, to our call for an immediate meeting and action by the Council. At this stage, we once again stress the imperative need for full compliance by Israel, the occupying Power, with Security Council resolution 1322 (2000), and all other relevant resolutions of the Council. We also stress the overall responsibility of the Council and the international community as a whole to ensure such compliance.

I would be grateful if you would arrange to have the text of this letter distributed as an official document of the fifty-fifth session of the General Assembly, under agenda items 36, 40, 41 and 85, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 16 October 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Wednesday, 11 October-Monday, 16 October 2000)

Wednesday, 11 October 2000

1. Sami Hassan Salameh (17 years old)
2. Karm Omar Qannan
3. Mohammad Ghassan Bouzieh
4. Maher Mohammad Mutlak

Thursday, 12 October 2000

1. Sami Fathi Abu Jazar (12 years old)
2. Khalil Lawrence Bader

Friday, 13 October 2000

1. Monsour Taha Said Ahmed
2. Shadi Mohamad Al-Wadi

Sunday, 15 October 2000

Raed Yakub Hamouda

Monday, 16 October 2000

1. Misbah Abd El Qadar Abu Atik
2. Muiad Usma Jawarish (13 years old)

United Nations A/55/491–S/2000/994

General Assembly
Security Council

Distr.: General
17 October 2000

Original: English

General Assembly
Fifty-fifth session
Agenda item 73 (c)
General and complete disarmament: Mongolia's international security and nuclear-weapon-free status

Security Council
Fifty-fifth year

Letter dated 16 October 2000 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to forward herewith the Statement of the Government of Mongolia made in connection with the joint Statement by the five nuclear-weapon States on providing security assurances to Mongolia.

I should be most grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly under agenda item 73 (c), and of the Security Council.

(*Signed*) Jargalsaikhany **Enkhsaikhan**
Ambassador
Permanent Representative

00-69426 (E) 181000

Annex to the letter dated 16 October 2000 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

Statement of the Government of Mongolia

In 1992, in the emerging post-cold-war international environment, Mongolia declared its territory a nuclear-weapon-free zone. The aim of the initiative was not only to strengthen Mongolia's security in the new geopolitical setting by political and diplomatic means, but also to promote nuclear non-proliferation, stability and mutual trust in the region. The initiative of Mongolia was broadly supported by the international community. Thus the General Assembly, in support of the initiative, adopted on 4 December 1998 resolution 53/77 D, entitled "Mongolia's international security and nuclear-weapon-free status". In implementation of the resolution, the Government of Mongolia has taken a number of concrete measures, including the adoption of legislation on Mongolia's nuclear-weapon-free status. It has also undertaken a series of consultations with the relevant States, especially with the five nuclear-weapon States, and the appropriate United Nations bodies in a search for ways and means of strengthening the country's nuclear-weapon-free status, the credibility and effectiveness of the status as well as the country's overall external security.

As a result of the consultations undertaken by Mongolia with the nuclear-weapon States, the latter have issued a joint Statement providing nuclear security assurances to Mongolia in connection with its nuclear-weapon-free status. Thus they reaffirmed their commitment to "seek immediate United Nations Security Council action to provide assistance to Mongolia, as a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons, in accordance with the provisions of Security Council resolution 984 (1995) of 11 April 1995, if Mongolia should become a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used". They also reaffirmed, in the case of Mongolia, their respective unilateral negative security assurances, as stated in their declarations issued on 5 and 6 April 1995 and referred to in Security Council resolution 984 (1995) of 11 April 1995 (S/1995/261-265). Moreover, Mongolia's two immediate neighbours, the People's Republic of China and the Russian Federation, also reaffirmed their legally binding commitments with respect to Mongolia assumed on the basis of the bilateral treaties concluded with the latter.

Under the Statement, the nuclear-weapon States have also pledged their continued cooperation with Mongolia in the implementation of the provisions of General Assembly resolution 53/77 D with respect to the latter's nuclear-weapon-free status. The Government of Mongolia expresses its resolve to cooperate with the above States to implement the provisions of the resolution as well as to consolidate its nuclear-weapon-free status.

The Government of Mongolia expresses its appreciation to the international community for the support of its initiative. It believes that the Statement by the nuclear-weapon States represents an important step towards institutionalizing Mongolia's nuclear-weapon-free status at the international level. The Government of Mongolia reaffirms its readiness to cooperate with all the States Members of the

United Nations and the relevant United Nations bodies in enhancing the effectiveness and strengthening the credibility of the status.

Ulaanbaatar, 6 October 2000

United Nations S/2000/995

Security Council

Distr.: General
16 October 2000

Original: English

Report of the Secretary-General concerning the credentials of the deputy representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 5 October 2000 from the Representative of the United States of America to the United Nations stating that Senator Joseph R. Biden, Jr., has been appointed deputy representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, this communication constitutes adequate provisional credentials.

00-69288 (E) 161000

United Nations S/2000/996

Security Council

Distr.: General
16 October 2000
English
Original: Arabic

Letter dated 16 October 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to notify you of continued violations of the ceasefire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 24 May and 23 September 2000, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-69323 (E) 171000 181000

Annex to the letter dated 16 October 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Iranian violations of the ceasefire and the 1991 Tehran agreement, 24 May-23 September 2000

1. 24 May 2000

At 1600 hours an Iranian patrol consisting of four armed military personnel on board a military cabin cruiser seized and took away Iraqi boat No. 3455/Basrah with eight Iraqi fishermen on board as they were fishing in our territorial waters near Mina' al-Amayah. They were brought to court on a charge of having crossed the boundary and were convicted and sentenced to imprisonment for a term of two months and six days. On 16 August 2000 they were released and expelled into Iraqi territory.

2. 1 August 2000

The Iranians fired on two of the Iraqi units' members. PFC Ali Amir Anis Jabir al-Mansuri was wounded and later died in an Iranian hospital, and PFC Nazim Muhammad Shakkal Ka'id al-Maliki was abducted. The latter was returned at 1200 hours on 21 August 2000 in an Iranian fishing boat across the Shatt al-Arab, being thrown on the Iraqi shore in the Hawrah area at coordinates 524311.

3. 13 August 2000

At 0330 hours the Iranians fired an illumination flare, and sounds of PKC-weapons and mortar fire were heard inside Iranian territory in the area between Iraq's Abbas and Haran outposts. They continued for half an hour.

4. 15 August 2000

At 2300 hours the Iranians directed light- and medium-weapons fire at the Iraqi outposts in the Fada'iyah area at coordinates 2843.

5. 15 August 2000

At 0730 hours an engineering unit consisting of 15 persons began work at coordinates 9280.

6. 17 August 2000

At 0730 hours an Iranian engineering unit began work beyond the Iranian burial ground at coordinates 9280. It stopped work at 1900 hours.

7. 18 August 2000

At 0730 hours an Iranian engineering unit began work beyond the Iranian burial ground at coordinates 9280. It stopped work at 1800 hours.

8. 19 August 2000

At 0730 hours an Iranian engineering unit began work. It stopped work at 1800 hours.

9. 20 August 2000

At 0730 hours an Iranian engineering unit consisting of five persons began work at coordinates 9474.

10. 20 August 2000

At 1100 hours the Iranians fired four mortar rounds that impacted at coordinates 1391, inside Iraqi territory.

11. 20 August 2000

At 1715 hours an Iranian helicopter landed opposite observation post 408 in Wadi al-Shaltah inside Iranian territory about two kilometres from the border post in the Khazaniyah area, and a group of some 7 to 10 persons in military attire alighted from it. At 1725 hours it took off, heading towards the Iranian rear.

12. 20 August 2000

At 1800 hours an Iranian helicopter landed near the boundary opposite Jallan and Wadi al-Shamilah in the Ali al-Gharbi area. Nine persons wearing black civilian clothing alighted and proceeded to fire seven rockets at the Iraqi border posts. The helicopter then returned towards the Iranian rear while the group remained where it was.

13. 20 August 2000

At 1800 hours a group of persons fired 11 107-mm rockets that impacted inside national territory in the area between observation posts 408 and 409, south-east of Khazinah.

[14]

15. 22 August 2000

At 0120 hours the Iranians fired three 120-mm mortar rounds that impacted near the Zayd outpost.

16. 24 August 2000

An Iranian engineering unit consisting of two workers began work at coordinates 9474.

17. 25 August 2000

At 0910 hours a detonation was heard inside Iranian territory. It transpired that it was an Iranian aircraft breaking the sound barrier 10 kilometres south of Qasr-i Shirin.

18. 26 August 2000

At 0230 hours sounds of explosions, mortar fire and light- and medium-weapons fire were heard inside Iranian territory in the Greater Ak Da—9 area at coordinates 4414 (1:100,000 map of Mandali). Three 80-mm mortar rounds impacted inside Iraqi national territory 150 metres in front of the Husayn outpost at coordinates 4051351. At 0300 hours the firing stopped.

19. 26 August 2000

At 0800 hours an Iranian engineering unit consisting of seven persons began work at the Iranian burial ground at coordinates 150790. The work consisted of laying a foundation for a building of unknown design.

20. 26 August 2000

At 1730 hours three Iranian helicopters fired 10 to 12 rockets at Iraqi units at coordinates 8704 and 9498.

21. 26 August 2000

At 0120 hours the Iranians fired three 120-mm mortar rounds that impacted near the Husayn outpost.

22. 27 August 2000

At 0130 hours a khaki-coloured helicopter was seen landing at coordinates 8908.

23. 27 August 2000

At 0105 hours a khaki-coloured helicopter was seen landing in Wadi Baraw beyond the mountain chain.

24. August 2000

The Iranians encroached on Iraqi national territory at the following coordinates: 557319; 552339; 552372; 55244; 562430; 563450; 574470; 562486; 559541; 560552; 560558; 560569; 556457; 557464; 557447; 556446; 557369; and 555335.

25. 27 August 2000

At 1035 hours two Iranian helicopters were seen heading towards Iran's Sayhah outpost at coordinates 9662. They then returned to the Iranian rear.

26. 27 August 2000

At 1900 hours the Iranians set fire to the reed beds along the eastern bank of the Shatt al-Arab in the area opposite Faw at coordinates 5654. The operation continued with a view to spreading the fire among the reeds. This led to a small 57-mm launcher-type rocket being fired at a dwelling in the city of Faw.

27. 28 August 2000

At 0900 hours the Iranians bombarded Iraqi national units with eight 81-mm mortar rounds. Five of them impacted at coordinates 0292 and three at coordinates 0391.

28. 28 August 2000

At 1100 hours the Iranians fired eight mortar rounds at Iraqi military units in the Tib area in Maysan Governorate.

29. 30 August 2000

At 1150 hours an unarmed khaki-coloured Iranian helicopter was seen coming from the Iranian rear at Sumar, passing by way of Iran's Naft-i Shah company and heading north parallel to the border strip.

30. 30 August 2000

At 2200 hours the Iranians fired three 120-mm mortar rounds at Iraqi territory in the area opposite Iraq's Harran outpost. They impacted 1.5 kilometres beyond the outpost.

31. 31 August 2000

Between 0130 and 0140 hours the Iranians fired 20 to 30 81-mm and 120-mm mortar rounds. All but three of them, which impacted in the area between the Miqdad outpost at coordinates 4109 and the Iranian observation tower at coordinates 4210, fell inside Iranian territory.

32. 31 August 2000

At 1430 hours two Iranian khaki-coloured helicopters were seen coming from the Fakkah sector and landing at Iran's Shayb outpost at coordinates 7221. They remained on the ground for 10 minutes before leaving the area for the Iranian rear.

33. 31 August 2000

At 0111 hours two Iranian helicopters were seen heading from north to south inside the Jallan area and proceeding towards the Iranian rear.

34. 1 September 2000

At 0100 hours the Iranians erected a reed-built military position on the eastern bank of the Shatt al-Arab opposite the village of Qat`ah at coordinates 312581 (1:100,000 map of Saybah). At 1800 hours the position was manned by three military personnel.

35. 2 September 2000

At 0750 hours the Iranians bombarded Iraqi units with 10 120-mm mortar rounds. Two Iraqi combat personnel were wounded.

36. 2 September 2000

At 1730 hours an Iranian 106-mm howitzer was seen on the ground inside Iranian territory at coordinates 145754.

37. 2 September 2000

At 1700 hours the Iranians completed construction of the reed-built observation post on the eastern bank of the Shatt al-Arab opposite the southern end of the Faw peninsula at coordinates 373215 (1:100,000 map of Faw). At 1900 hours it was manned by six military personnel armed with GC assault rifles. At 2200 hours the Iranian positions fired off a number of rounds in an indiscriminate manner.

38. 3 September 2000

At 2200 hours the Iranian positions on the eastern bank of the Shatt al-Arab directed intermittent fire from GC weapons at the area between Muhammarah North at coordinates 3869 and the area opposite Sayhan at coordinates 313580 (1:100,000 map of Saybah). At 0500 hours in 4 September the firing stopped. During the time in question a motorcycle was patrolling between the Iranian positions.

39. 4 September 2000

At 0830 hours an Iranian engineering unit consisting of six persons began work at coordinates 154759.

40. 6 September 2000

At 2200 hours the sound of shots being fired was heard from the Iranian side. A civilian, Ali Sultan Jasim al-Ali, was hit as he lay sleeping on the roof of his shop in the market at Faw and suffered a wound and bleeding that required him to be taken to Faw general hospital.

41. 7 September 2000

At 0200 hours criminal elements prompted by the Iranian authorities committed a heinous crime against peaceful citizens in residential neighbourhoods of Baghdad when they fired three 122-mm rockets at these areas. One citizen was wounded, and serious damage was done to a number of dwellings. Launching equipment and unexploded rockets were found at the scene of the crime, testifying to the commission of this cowardly act.

42. 8 September 2000

At 1000 hours the Iranians fired four 107-mm rockets from coordinates 4808, inside Iranian territory and 1.5 kilometres south of the Miqdad outpost. They impacted inside Iraqi national territory at coordinates 3708 (1:100,000 map of Khanaqin).

43. 10 September 2000

At 0700 hours six armed Iranians, four of them in civilian clothing and two in military uniform, tried to infiltrate into Iraq's national territory in the area between the Ziyadi outpost at coordinates 1647 and the Kurmushiyah outpost at coordinates 1347. They were engaged, and they ran off.

44. 10 September 2000

At 1800 hours a vehicle drew up inside Iranian territory carrying 12 persons and their weapons and equipment. They were split into two groups of six, one group for each of the two towers opposite the Ziyadi outpost at coordinates 1647 and the Tariq outpost at coordinates 1947.

45. 11 September 2000

At 1700 hours an Iranian military vehicle carrying 10 persons and towing a howitzer was observed. The howitzer was installed at coordinates 619029.

46. 11 September 2000

At 0200 hours some of the Iranian positions along the eastern bank of the Shatt al-Arab in the area opposite Ra's al-Bayshah and Ma`amir began firing in a random and intermittent manner. At 0300 hours the firing stopped.

47. 13 September 2000

At 2200 hours the Iranians manned the forward observation posts along the eastern bank of the Shatt al-Arab opposite the Shayhan area, placing three soldiers in each. At 0600 hours on 14 September the soldiers were withdrawn from the posts.

48. 13 September 2000

At 0930 hours an Iranian engineering unit consisting of eight workers began work at coordinates 154751.

49. 14 September 2000

At 0900 hours an Iranian engineering unit consisting of three workers began work at coordinates 154751.

50. 16 September 2000

At 0800 hours an Iranian engineering unit consisting of seven workers began work at the Iranian burial ground at coordinates 150790.

51. 17 September 2000

At 0240 hours the Iranians began firing indiscriminately towards the Faw district. One Iraqi woman, Shafiqah Ghalib Sallum, was wounded in the left arm.

52. 17 September 2000

At 2335 hours some of the Iranian positions along the eastern bank of the Shatt al-Arab opposite the Fada`iyah and Ma`amir areas began firing indiscriminately.

53. 18 September 2000

At 1400 hours the Iranians fired a number of 120-mm mortar rounds inside Iranian territory. One of them impacted inside out national territory in Wadi Abi Ghawb at coordinates 8701 (1:100,000 map of Khazinah).

54. 19 September 2000

At 2220 hours the Iranians fired indiscriminately towards the Faw district. One Iraqi woman, Sabihah Hasan Ali, was wounded in the leg.

55. 22 September 2000

At 1425 hours the Iranians fired six 107-mm Katyusha rockets that impacted in the area between the Shuhada' outpost and the Nay Khidr outpost at coordinates 8106.

56. 22 September 2000

At 1300 hours an Iranian helicopter was seen flying over the border strip inside Iranian territory in the area opposite the Ayn al-Abd outpost at coordinates 2250. It then headed towards the Iranian rear.

57. 23 September 2000

At 0800 hours an Iranian engineering unit began work at coordinates 154751, Kharnubiyah. There were four workers.

United Nations S/2000/997

Security Council

Distr.: General
17 October 2000
English
Original: Arabic

Identical letters dated 11 October 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 10 October 2000 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 1 to 8 October 2000 they carried out 268 sorties, 124 of them from Saudi Arabia, 78 from Kuwait and 66 from Turkey.

The Minister urges intervention with the governments of the United States and the United Kingdom and with the countries participating in this aggression, namely Saudi Arabia, Kuwait and Turkey, with a view to inducing them to halt their aggression and to respect the norms of international law and the sovereignty of Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-69412 (E) 171000 171000

Annex to the identical letters dated 11 October 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 268 sorties in the period from 1 to 8 October 2000, 124 of them from Saudi Arabia, 78 from Kuwait and 66 from Turkey, as shown hereunder.

1. In the northern region 66 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1300 hours on 1 October 2000, United States and British F-15 and F-16 aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out six missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1310 hours, drove them off.

(b) At 1145 hours on 3 October 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Tall Afar, Ayn Zalah, Aqrah, Irbil and Rawanduz areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1445 hours, drove them off.

(c) At 1000 hours on 6 October 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Amadiyah, Aqrah, Zakho, Baibo, Irbil and Rawanduz areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1300 hours, drove them off.

(d) At 1035 hours on 7 October 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Amadiyah, Aqrah, Zakho, Dohuk, Dokan, Baibo, Irbil and Rawanduz areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1340 hours, drove them off.

2. In the southern region 202 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1030 hours on 1 October 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 44 missions, 26 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 18 from Kuwaiti territory with the

support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Amarah, Artawi, Salman, Samawah, Nasiriyah, Jalibah, Nukhayb and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1400 hours, drove them off.

(b) At 0950 hours on 2 October 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 40 missions, 26 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Shinafiyah, Diwaniyah, Hayy, Afak, Samawah, Amarah, Ali al-Gharbi, Shaykh Sa'd, Ukhaydir, Artawi, Nasiriyah and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1210 hours, drove them off.

(c) At 1055 hours on 4 October 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 24 missions, 20 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Samawah, Salman, Nasiriyah, Amarah, Qurnah, Jalibah, Shinafiyah, Qal'at Sukkar, Qal'at Salih, Najaf, Lasaf, Ashbajah and Ukhaydir areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1310 hours, drove them off.

(d) At 1055 hours on 5 October 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 28 missions, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 18 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Samawah, Salman, Lasaf, Diwaniyah, Nasiriyah, Amarah, Jalibah, Rifa'i and Shinafiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1300 hours, drove them off.

(e) At 0835 hours on 6 October 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out six missions, were supported by an AWACS command and control aircraft operating inside Saudi airspace and overflew the Amghar and Ma'aniyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1030 hours, drove them off.

(f) At 0930 hours on 7 October 2000, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions, 22 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Jalibah, Salman, Ashbajah, Nasiriyah, Lasaf, Amarah, Qal'at Sukkar, Samawah, Shinafiyah, Ukhaydir, Diwaniyah, Nu'maniyah and Najaf

areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1240 hours, drove them off.

(g) At 0935 hours on 8 October 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 24 missions, 14 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 10 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Salman, Ashbajah, Nasiriyah, Lasaf, Qal'at Salih, Samawah, Shinafiyah, Nukhayb South, Mashkhab, Rumaythah, Shatrah, Rifa'i, Qurnah and Ma'aniyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 0945 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials seeking to defend the measures being taken to enforce the no-flight zones.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these countries in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear international responsibility for actions that are deleterious to the people of Iraq.

The Government of Iraq, condemning these acts of aggression against civilian targets and Iraqi civilian installations, urges the Security Council to perform its assigned duties with respect to the maintenance of international peace and security by intervening with the governments of the countries in question with a view to inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent, sovereign State.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2000/998

Security Council

Distr.: General
17 October 2000

Original: English

Note verbale dated 16 October 2000 from the Permanent Mission of Angola to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Republic of Angola to the United Nations presents its compliments to the President of the Security Council of the United Nations and has the honour to request that the annexed document entitled "The strategy of the Angolan Government against conflict diamonds and trade in illicit diamonds" be circulated as a document of the Security Council.

00-69592 (E) 191000

Annex to the note verbale dated 16 October 2000 from the Permanent Mission of Angola to the United Nations addressed to the President of the Security Council

The strategy of the Angolan Government against conflict diamonds and trade in illicit diamonds

October 2000

I - INTRODUCTION

The resurgence of internal conflicts in some African diamond-producing countries, as well as the possibility of this mineral resource financing the activities of some armed groups has meant that from 1999 onwards the international community has grown increasingly concerned with the proliferation of so-called "conflict diamonds". Angola, the Democratic Republic of the Congo and Sierra Leone have hitherto been considered the primary sources of conflict diamonds. According to world diamond statistics it is commonly recognised that the entire conflict diamond trade amounts to approximately 4% of the total world diamond trade. Although Angola is by far the largest diamond producer of the three "conflict diamond nations", UNITA's contribution must now be categorised as virtually nil. This fact leads us to take issue with the assumption that Angola is a source of conflict diamonds.

Our Government believes today that, as a result of measures already taken, "conflict diamonds" are no longer to be found in Angola. Various factors sustain these findings; namely the military collapse of Unita rebels during 1999-2000.

During that period this organisation has lost control over all their traditional provincial strongholds (Jamba, Bailundo, N'harea, Andulo etc.). The rebels no longer maintain a standing army capable of controlling and exploiting any significant mining regions at all. The exploration of any diamond area requires the creation of a minimum degree of stability and the presence of occupational troops. The hit and run tactics of Unita mean that they are in a state of permanent mobilisation, in order to avoid direct confrontations with Government military units, rendering them incapable of keeping a mine in production.

II - MEASURES ADOPTED BY THE ANGOLAN GOVERNMENT REGARDING UN SANCTIONS AGAINST UNITA

After the Angolan Armed Forces regained control of the whole country at the end of 1999, the Government of Angola effectively managed to implement measures, approved at the beginning of the same year, in order to respond to both the preoccupations of the international community to prevent conflict diamonds being produced and commercialised in Angola.

At the same time it introduced reforms into the diamond sector all over the country, with the aim of maximising the State's income.

- **ESTABLISHMENT OF A SINGLE CHANNEL FOR THE COMMERCIALISATION OF DIAMONDS UNDER DECREE No. 7-B/00 AND LAW No. 16/94**

In order to achieve this objective the Government of Angola established the Angolan Selling Corporation (Ascorp). Ascorp is a joint venture with foreign investors, in which the Government, through Sodiam, holds 51% of shares. Diamonds produced in Angola are commercialised on the world market in this way.

- **REDUCTION OF LARGE CONCESSION AREAS UNDER DECREE No. 7 - A/00 OF 11th FEBRUARY**

The inter-ministerial commission, established under Resolution No. 21/99 to control the implementation of Government measures is responsible for the re-negotiation of various diamond concessions all over the country. This policy does not intend to restrict or infringe the rights of private companies investing in Angola, but to redraw the dimensions of the country's diamond concessions in order to make their exploration more profitable. It intends to improve control, free space and create opportunities for new investment on the part of Angolan and foreign mining companies.

• FIRST EVIDENCE OF SUCCESS

The logic behind the establishment of a single channel for the commercialisation of Angola's entire diamond production may not at first sight be understood by some mining operators, appearing to be contrary to normal free market competition.

However, statistics concerning the commercialisation of diamonds by Angola through this single channel reveal that there has been a significant increase in revenue to the State. Moreover, it has contributed in a significant way to stopping the illicit trade in diamonds, and consequently "conflict diamonds". Cancelling certain existing trading licences, in which owners

were unfairly competing against one another, and evading payment of taxes to the State has allowed us to commercialise diamonds, at the going international market rate, and the State has reaped its just rewards. The income generated, as well as the profits from Ascorp's work are earmarked to be invested in the industrialisation of the country, as the Government is conscious that diamond reserves will eventually be exhausted, given that they are a non-renewable resource.

In this way a Special Body for Inspection and Security of Diamonds (Guichet Unico) created in April 2000, in collaboration with Ascorp, adopted a series of measures to realise the Government's objectives: the following are the most important:

- Certificate of origin: The most up-to-date technology available has been employed to design certificates of origin for all diamonds exported legally from Angola. The printing technology and method, as well as the export procedure itself have been thoroughly overhauled by experts in the field.

- Confirmation of import: The "confirmation of import" formality doubly ensures that any given Angolan diamonds have been exported legally. Communication lines are maintained with the country of destination and monitoring has been improved. The documentation from the country of destination confirms that the diamonds have been dispatched to the recipient specified in the export documents. This provides a double safety feature to the export and regulation procedure.

- In addition to the "confirmation of import" system providing a routine two-way line of communication between Angola and the foreign regulatory bodies, bilateral contacts have been established with the High Council of Diamonds (HRD) in Belgium. The HRD has worked closely with Ascorp and the Angolan Ministry of Geology and Mines to establish a standard level of communication, whereby the import of Angolan diamonds to Belgium may be efficiently regulated and monitored.

- Packaging and sealing: Essential to the improved export procedure is an improved standard of packaging and sealing goods in transit between Angola and their foreign destination. This system is virtually tamper-proof.

- The credential system: The cornerstone of the reform of the diamond sector is the sophisticated credential system that is being implemented in Angola. The objective is to provide a real-time information system based on bar-coded identity cards. These allow Ascorp to efficiently monitor and assess day-to-day activity in the diamond sector.

All of the following key individuals must have credentials:

- Official Ascorp buyers
- Authorised Ascorp administrative personnel
- Authorised security personnel
- Authorised mining personnel
- Authorised Government personnel
- All artisan explorers and miners
- All relevantly involved authorities

- The Guichet Unico: This single and unified security force has been created and empowered to police the diamond sector. This was deemed necessary because control of the diamond sector falls under the aegis of a large number of Government bodies. Guichet Unico ensures a more effective and co-ordinated policing of Angola's new diamond policy. The Guichet Unico is thus composed of all bodies that are instrumental to the Government's plan to combat illegal diamond traffic, namely: The National Criminal Investigation Service, The Attorney General's Office, the National Immigration Service, the Customs Authority Police Division, Fiscal and Border Police, the Rapid Intervention Police Force, and the Economic Police.

- Again within the scope of the implementation of this strategy experienced international consultants have been contracted to advise on methods to tighten up physical security at Angola's various airports and borders.

III - INTERNATIONAL INITIATIVES

The Government of Angola, while pursuing a determined process of internal reform, is also working to develop a series of international initiatives in order to divulge its strategy, create synergies and co-ordinate joint action. In this respect we particularly wish to mention the following:

- The visit of Ambassador Robert Fowler to Angola paved the way for a rewarding collaboration between Angola and the UN, as established in point 16 of Resolution 1295(2000).

- The UN Sanctions Committee appointed a high-level official, Mr Mollander, to follow-up and assess the nature and extent of the problem of "conflict diamonds" in Angola.

- Following the meeting in Kimberley, Angola hosted a meeting for the international work group that is dedicated to resolving the illicit diamond problem. Inter-ministerial conferences have since been held in Angola, South Africa and Namibia. The Government remains committed to all efforts and initiatives that lead to a long-term solution to the problem of illicit and conflict diamonds.

- The Angolan Government is seriously interested in safeguarding progress achieved as a result of initiatives led by the Commonwealth and the UK Foreign Office, namely Mr. Peter Hain's official visit to Luanda, as well as Mr. Paul Heinbecker's visit to Angola.

IV - FUTURE OBJECTIVES FOR THE REFORM OF ANGOLA'S DIAMOND SECTOR

The medium to long strategy of the Government is to eliminate the informal diamond market. In order to achieve this objective, the Government intends to legalise the activity of diggers ("garimpeiros"), using a system of credentials. The diggers will, in consequence, become artisan miners and will pay any taxes due to the State.

For the Government of Angola the digger and the dealer are not the same thing. For this reason it is felt that policies for the informal diamond sector

should be based on, on the one hand, organisation, formalisation, regulation and taxation of the activities engaged in by artisan miners, and on the other hand, the combat against existing dealers.

The Guichet Unico with the support of Ascorp plan to register the diggers in the various diamond producing areas. Registered diggers (artisan miners) will be given the opportunity to apply for an official Ascorp "Artisan Explorer's Licence". Their production will be bought, exported and marketed by Ascorp.

In the diamond producing areas only individuals who have been issued with a credential by the Guichet Unico will be authorised to operate.

Every diamond buying office will have a barcode reader. The reader will automatically identify a client or artisan explorer with a credential when he presents his card. The Ascorp buyer will enter their data into a database including the weight, characteristics and value of the diamonds in question. The data will be updated on a regular basis and stored on the central Ascorp database in Luanda, thus enabling Ascorp to control diamond trading, etc.

- **DEALERS VS THE DIGGERS**

There is a truth that hides behind the illegal trade in diamonds, which makes it into a scenario in which dealers maintain an economic stranglehold over cheap labour in the diamond producing areas of Angola. The dealers provide diggers with mining equipment, food, security, fuel and the general logistics required to maintain artisan-mining ventures in production.

Unfortunately for the diggers, who are the indigenous people of these diamond-rich areas, the dealers impose a heavy workload and grossly underpay them. The nature of the work is not only physically exhausting but also highly dangerous – diggers routinely lose their lives while working. The diamonds produced in this way are then smuggled out of their countries of origin by the dealers; evading payment of export duties and taxes in the process.

These dealers, originating from foreign countries, proceed to organise international smuggling and trafficking rings that often finance the purchase of weapons and supplies for African rebel groups.

By their very nature these dealers, together with the links that they maintain with powerful financial and economic groups interested in destabilising legitimate governments, cause immense damage to the diamond-producing nations, introducing the people resident in the mining zones to new habits and encouraging them to plunder the diamond reserves.

From the monitoring that the Angolan Government has carried out the following facts are worthy of note:

- Intermediaries (dealers), dominate the illicit trade, and control commercialisation channels.
- The intermediaries can be characterised as follows:

- They are wealthy or represent the interests of powerful financial groups;
- They have easy access to logistic supplies;
- They are easily able to hire planes
- They easily slip across frontiers illegally;
- They easily make overseas contacts in order to sell diamonds.

- The diggers are poor people, a lot of them die in mining accidents, and benefit very little from this activity, as opposed to the dealers;
- Taking the dealers out of the informal trafficking business rings leaves the diggers exposed and as such the State will be able to rehabilitate them, using the system of registration and the credential;
- The dealers and the rebel groups are supported by highly organised powerful international groups, who have great political and financial backing;
- Under the guise of normal participants the groups that support the rebels and the dealers participate regularly at international forums on conflict diamonds.

• CREDENTIALS

The physical credentials are plastic credit-card sized badges. There are three types of credentials:

1. The Ascorp staff credential (two horizontal blue lines across the badge)

2. The Ascorp security staff credential (two red lines and the word "SECURITY")

3. The artisan explorer or Ascorp Client credential (original)

The front of the credential features the logo and a photograph of the cardholder; text boxes containing the name, the category, the number of identity card or passport, and the expiry date.

The back of the credential is the same for three types of credentials and features:

- a barcode
- the credential number
- a reference to credential rules as they appear on the credential application form.

The efficient management of the credential system, coupled with the synergistic collaboration with the Guichet Unico, will ultimately marginalise any remaining UNITA runners.
The Angolan Government is not under the illusion that the illicit diamond problem will be totally eradicated. The reforms that are being implemented by Ascorp have, however, already vastly improved diamond-derived government revenues. We are confident that a level of control will soon be attained which will reduce to trifling quantities the number of diamonds circulating outside the control of our Government.

V - CONCLUSIONS

With the measures adopted by the Angolan Government, in the domains of institutional, entrepreneurial and legal reinforcement conditions have been created for the stabilization of the diamond sector in Angola. We conclude that:

- With the establishment of the Guichet Unico the illicit trade in diamonds is being reduced gradually but significantly;

- The application of Decree No. 7-A/00, which reduces the diamond concession areas, has had positive effects on the reduction in this illicit trade;
- The implementation of these measures, which are part of the Angolan Government's strategy, aims to end the informal market and transform the diggers "garimpeiros" into artisan miners, through registration and the issuing of a credential;
- The end of informal market will strengthen the combat against the illicit diamond trade and conflict diamonds;
- The establishment of a single channel of commercialisation has meant that there is greater control of the commercialisation channel and a substantial increase in revenues reverting to the State;
- Although the Angolan certification process is credible and satisfies the demands of the Angolan Government and of other international Institutions, such as UN, HRD in Antwerp, etc., the Government is committed to further improving the certification system.

VI - RECOMMENDATIONS

The Angolan Government is fully aware of the role which the international community can play in the eradication of illicit and conflict diamonds. It favours a concerted approach in reaching a mutual understanding on this issue. To be effective these international efforts and initiatives must be based on national and regional experience.

Angola continues committed to promoting reconciliation and furthering collaboration with other Countries to bring legislation into line, especially on issues related to taxation, and procedures that make the export of diamonds secure.

The success of the efforts of the International comr unity in the fight against conflict diamonds and illicit trafficking will depend a lot on the adoption of the following measures, amongst others:

- Adoption of a transparent international certification system, based on national experience, for the development of the rough diamond trade, in order to prevent conflict diamonds and those derived from illicit trade gaining access to world markets;

- The identification of international groups and institutions which support the dealers and armed rebels, as well as the dealings between them;
- There is a need for conflict diamonds and illicit trading to be given equal treatment.

United Nations S/2000/999

Security Council

Distr.: General
18 October 2000

Original: English

Letter dated 18 October 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith a letter dated 18 October 2000 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina (see annex).

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

00-69771 (E) 191000

Annex

Letter dated 18 October 2000 from the High Representative on the Implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to transmit to you the seventeenth report on the activities of the Office of the High Representative on the Implementation of the Peace Agreement on Bosnia and Herzegovina. I would appreciate your making this report available to the Security Council.

(*Signed*) Wolfgang **Petritsch**

Enclosure

Report by the High Representative for the Implementation of the Peace Agreement to the Secretary-General

Mid-April-beginning of October 2000

Pursuant to Security Council resolution 1031 (1995) of 15 December 1995, in which the Council requested the Secretary-General to submit reports from the High Representative in accordance with Annex 10 of the Peace Agreement and the Conclusions of the London Peace Implementation Conference of 8 and 9 December 1995, I herewith present the seventeenth report to the Council.

The report covers the activities of the Office of the High Representative and developments in Bosnia and Herzegovina during the period from the middle of April until the beginning of October 2000.

Summary

1. The Peace Implementation Council, which met at Brussels on 23 and 24 May 2000, set three key strategic targets concerning consolidation of Bosnia and Herzegovina State institutions, economic reform and refugee return.

2. A new Council of Ministers, including three new ministries, was established; the main Bosnia and Herzegovina State institutions are still dominated by ethnic rather than State interests.

3. Twenty-one public officials were dismissed for serious obstruction of the Peace Agreement.

4. The Constitutional Court announced its third partial decision on the Constituent Peoples' Case.

5. A single national passport was imposed owing to the inability of State institutions to reach a decision; first passports to be issued this autumn.

6. There was a high increase of returns to pre-war homes, even in areas previously considered dangerous.

7. Laws on state treasury and party financing were adopted, strengthening accountability at the State level.

8. A new Bosnia and Herzegovina-wide telephone numbering plan has been successfully implemented.

I POLITICAL

1. - Common institutions

a) The re-establishment of the BiH Council of Ministers

1. The strengthening of the state institutions of Bosnia and Herzegovina (BiH) was one of the key strategic targets set by the Peace Implementation Council that met in Brussels on 23-24 May, 2000. The preamble of the Brussels PIC Declaration stated that one of the main goals is "fostering functional and democratically accountable common institutions supported by an effective, merit-based civil service and a sound financial basis, based on the Rule of Law".

2. This statement was made precisely during the process of constituting one of the most relevant common institutions of this country, the Council of Ministers (CoM). Following the adoption of a new Law on the CoM on April 13, 2000, over two months elapsed before a new Chair and Ministers were approved by the House of Representatives of the BiH Parliamentary Assembly. The BiH House of Representatives rejected the initial nomination by the Presidency for Chair of the Council on May 17, 2000. Finally, on June 6, 2000, the BiH House of Representatives approved Spasoje Tusevljak as Chair. On June 22, 2000 the BiH House of Representatives approved the Ministers and Deputy Ministers nominated by the Chair.

3. Following its re-establishment, the CoM has met regularly. Three new Ministries have been established: the Ministry of the Treasury for the Institutions of BiH, the Ministry for European Integration and the Ministry for Human Rights and Refugees. Staffing of these new Ministries is well under way and provisions have been made in the state level budget to cover their initial financial needs. Since its re-establishment in June, the CoM has adopted proposed legislation related to the State Treasury, Travel Documents and Political Party Financing.

4. Overall progress, however, has remained slow. Frequent delays in decision-making have resulted in a serious backlog in terms of legislation that has to be adopted in accordance with the PIC work programme. As a result of CoM's irresolution, the work of the BiH Parliamentary Assembly is further hampered. Lack of commitment among politicians to strengthen the State continues to block the effective functioning of the common institutions.

5. While a State-level Civil Service law has yet to be adopted, I have insisted that the recruitment of new civil servants to the new Ministries be done in accordance with the principles of the said law. Civil servants must be employed from this point on through open public competition. The Ministry of European Integration has set a good example in this regard.

b) The BiH Presidency

6. The recent performance of the BiH Presidency has some constructive elements: it reached agreement on a number of important areas, including support to the State Border Service documents and financial plan, and transformation of the RTV. In addition, it ratified several agreements and treaties, and agreed on the Rule Book on Internal Organization of the Auditing office for the BiH Institutions. There has been little or no progress in other areas. The Presidency Secretariat has still not been fully established as was called for in the New York Declaration last year because adequate funding is missing. In addition, I am not satisfied with the method

by which the staff of the Secretariat was recruited and I continue demanding full adoption of the principles set out in the draft Civil Service law.

7. The important decisions continue to require the constant application of pressure from the international community. This is due to the lack of dialogue and constructive engagement in decision-making among the three Presidency members. Unfortunately, they act and take decisions following strict ethnic lines, paying very little attention to the real problems that their country suffers. An example of this attitude was the discussion on the nomination of the Chair for the Council of Ministers, which took nearly two months. During the whole process, the Bosniac and the Croat members of the Presidency did not object to the poor merits of the candidate proposed by the Serb member but rather gave their consent. The reason behind this irresponsible behavior was that, according to the principle of ethnic rotation, the selection of the candidate corresponded to the Serb member of the Presidency. In the first instance, they selected a candidate who, in my opinion, was not acceptable to represent the interests of all BiH citizens. After strong pressure from the International Community and hard effort of my Office, they agreed to withdraw their decision and nominate another candidate.

8. At the end of July the Chair of the Presidency Izetbegovic announced his resignation, to take effect on 12 October, 2000 when his term as the Chair comes to an end.

c) The BiH Parliamentary Assembly

9. The Parliamentary Assembly has recently adopted its Work Plan for the year 2000. Furthermore it has adopted the Laws on Party Financing and on the Council of Ministers. The Law on Succession to the BiH Presidency was adopted in July. However, the Law was in contradiction with the principles of the Constitution and the most basic standards of transparency and democratic accountability. Therefore I decided to impose amendments to some of its provisions, so that some of the most important institutions of BiH, the Presidency and the Parliamentary Assembly, serve the real interests of the citizens in line with the Constitution and not those of the ruling nationalistic elite. After the summer recess the Parliamentary Assembly adopted the Law on State Treasury but failed to adopt the Law on Amendments to the Law on Travel Documents. I therefore decided to impose the legislation that will provide all citizens of BiH with a single national passport.

d) The Constitutional Court

10. The decision of the BiH Constitutional Court (CC) on the Constituent Peoples' Case, was given on 1 July, 2000. This decision has been one of the most debated - and sometimes contested- juridical and political issues during the past summer. The reasoning was not published until 14 September, 2000. Basically it rules that no ethnic group constituent on the territory of BiH shall be excluded from exercising its rights in the Entities.

11. The reactions to the ruling have been intense and diverse: in the Republika Srpska (RS), with very few exceptions, the reaction has been negative. The political class there contends that the decision is politically motivated and has been adopted within the BiH CC by the Bosniac and international judges outvoting their Serb and Croat colleagues. In the Federation, the decision has been welcome by most political parties, although it is still to be seen how some nationalistic parties will react when it comes to the actual adoption of amendments to the Federation Constitution. I have made clear to the political class of BiH that, however their personal opinions, the rule

of law and the respect to the BiH CC's authority must prevail. The implementation of the constitutional changes is not subject to negotiation.

2. - Election issues

a) Election Law

12. The BiH House of Representatives and the CoM have launched a joint initiative to establish a working group to overcome the differences related to the adoption of an Election Law. I hope that this initiative will lead to the adoption of an Election Law that truly promotes democracy.

13. I cannot emphasize strongly enough that any Election Law adopted by the BiH Parliamentary Assembly must establish the principles for all levels of elections in BiH. In addition, I have reiterated the importance of taking into consideration the critical reforms and elements introduced in the draft Law prepared by the Permanent Election Law Working Group. These reforms meet the requirements clearly set out in the 1998 Madrid PIC Declaration, and were as such approved by the Steering Board of the PIC on 20 October 1999. Furthermore, the Election Law presented must also take into account final and binding decisions of the CC, especially the decision related to the Constituent Peoples' Case, which requires the Entities to amend their Constitutions. I have urged the Parliamentary Working Group to bear all these points in mind.

14. An Election Law that failed to meet the above mentioned standards -including taking into account the decision on the Constituent Peoples' Case- would hinder this country's democratization and political stabilization and its integration into European structures.

b) April Municipal Elections and November General Elections

15. In the April municipal elections, the multi-ethnic Social Democratic Party (SDP) gained significant ground against the main Bosniac nationalist party, the Party of Democratic Action (SDA) in the Bosniac-majority areas of the Federation. The main BiH Croat party, the nationalist Croat Democratic Community (HDZ) retained most of its municipal seats, although the number of votes it received decreased dramatically. In the RS, the results were mixed: the nationalist Serb Democratic Party (SDS) retained most of the municipalities it controlled, while the moderate forces made limited advances, most of them attributable to Prime Minister Dodik's Independent Social Democrats (SNSD). However a new party successfully made its appearance: the Party of Democratic Progress (PDP), thus creating a somewhat more pluralistic party spectrum in the RS.

16. For the November general elections, it is hoped that multi-ethnic or at least moderate parties will continue their advances.

3. - Removals

17. During this reporting period, I dismissed twenty-one public officials for serious and persistent obstruction of the Dayton-Paris Peace Accords. As to nineteen cases out of the twenty-one, I signed the decision jointly with the OSCE Head of Mission; these officials are also barred by the Provisional Election Commission from holding any public elected and appointed office. All these decisions of removal received widespread public support. My office always screens the successors of those dismissed before they are officially appointed.

4. - Civil Information Management and Documents

18. My Office has made concrete steps forward in strengthening the State-level control of basic civil information management in BiH. On June 28, 2000, the Central Registry of Passports was established in the BiH Ministry of Civil Affairs and Communications (MCAC) representing the first critical step in establishing a secure regime for the control and issuance of international travel documents. OHR has also been instrumental in assisting the MCAC in the design, specification and source selection for the manufacture of the Single National Passport, as per the New York Declaration. On 29 September, as I mentioned before, I used my authority to impose the Single National Passport after the BiH House of Representatives failed to adopt the necessary amendments. Diplomatic passports will be available on 20 October and citizens' passports will be available on 30 November.

19. In addition, legal working groups formed by representatives from various Ministries in BiH, assisted by the OHR, were established to finalize the draft laws on Identification Cards, Unique Citizen Number, and Residency. This package of three state-level laws are now in the hands of MCAC for procedure and shall provide the legal foundation for the forthcoming implementation of the Central Citizen Registry and the BiH Citizen Identity Card.

20. This joint MCAC/entity Ministry of Interior working group, again with OHR assistance, is currently drafting state-level laws on data protection and mandatory data exchange as part of an intensive effort to create appropriate protections for the first post-war citizens register.

5. – The Entities and the Brcko District.

a) Republika Srpska

21. The recent months in the Republika Srpska were a period of deteriorating political climate, almost short of collapse, with indications that Belgrade played a significant role. This permanent crisis required frequent interventions by my Office to make sure that the entity parliament passed important legislation and to provide visible support for the Sloga-based Government.

22. With the growing economic problems in the entity, the cleavage among, and within, the Sloga parties, after the municipal elections, resulted in splitting within two of the three coalition partners (the SNS of Mrs. Plavsic and the Mr. Radisic SPRS). While Mrs. Plavsic and her loyalists decided to stay with Sloga, Radisic and his supporters left it. These defections created a new situation in the RS as Sloga was now unable to prevent the most radical nationalist parties - SDS and SRS and their new allies from splinter SNS and SPRS - to challenge the Dodik government in the RS parliament. On 7 September Prime Minister Dodik lost a confidence vote. I urged the Government to stay in office until the forthcoming elections.

b) Federation:

- Mostar

23. Since my last report the situation in the City of Mostar and the Herzegovina-Neretva Canton has improved considerably. This progress has been achieved mainly due to the new positive approach by certain local authorities to work together. This movement, lead by Deputy Mayor Tomic (Croat) with the assistance of

Mayor Orucevic (Bosniac), and by some Cantonal officials, has resolved issues in this short period of time which have been plaguing the Canton, especially the City of Mostar, for the past three years. Namely, the unification of the City Administration, the Cantonal Judicial System, the Cantonal Ministry of Interior and public utilities companies, as well as the adoption of the necessary legislation at Cantonal and City levels have effectively dismantled in various areas the parallel structures that existed since the war period. The basis for a final unification of Mostar has been planted.

24. However, although this new attitude of the local authorities has improved the overall climate of the city, there remains a lot of progress to be made. Very small improvements have been seen with regard to property law implementation, which stands at the lowest implementation rate in all of BiH (at 1%). There is active resistance by political hard-line elements at the municipal level as well as at organisations such as HVIDRA (Croat War Veterans' Association). Consequently, my office has submitted to the new prosecutors files for the criminal prosecution of those local authorities who have been obstructing the process and are negligent in their duties, as the Federal Criminal Code stipulates.

- Una-Sana Canton

25. One example of reinforced IC cooperation is the joint (OHR/ UN/ OSCE/ UNHCR/ SFOR) Strategy/Action Plan for the northwestern Una-Sana Canton (capital, Bihac), which has been adopted on 12 June, 2000. Taking into consideration the IC's main strategic targets as recently affirmed by the PIC at its May 2000 meeting, the plan mainly aims at diminishing the influence of the nationalist war-time establishments and elements, encourage fight against corruption and organized crime and foster reconciliation, economic reform, rule of law and democracy in this Canton. If successfully implemented, this Canton could set a precedent for the rest of the country. Its implementation, which is closely being monitored by my Office, is underway.

c) Brcko

26. The implementation of the Brcko District is proceeding well:

- The multi-ethnic government and Assembly are in place and fully operational.
- The Assembly has already adopted 10 District laws (Police, Executive Authority, Official Gazette, Rules of Procedure of the Assembly, Administrative Procedures, Banks, Courts, Judicial Commission, Prosecutor's Office, and Administrative Disputes) and a number of others is being prepared, mainly related to issues such as concessions, privatization tax administration, District Revenue Agency (DRA), health care, land registry and disposition of use of abandoned property.
- The multi-ethnic police force is fully integrated and covering the entire territory of the Brcko District.
- A few steps forward have been achieved in the field of education. One primary school opened with multi-ethnic staff and pupils; it will serve as model for the rest of the District.
- Return is moving forward at a steady pace. Since April, it is estimated that the reinstatement of property reached a total of a little over 1300.
- Following the first inter-entity meeting organized and hosted by OHR with the participation of the Brcko District Government on 19 September, various working groups have been created to tackle the cooperation and participation of the entities' governments in the development of Brcko District on crucial issues such as Returns and Reconstruction, Revenues (including customs), Pensions, Health Care and other social programs, and Economic Development.

6. - BiH in the European integration processes

27. Like other countries in south-eastern Europe, BiH is striving to find its place in the region and in the European structures. The changes in Croatia and - just now - in the FRY present a real prospect for regional peace and stabilisation. Rapprochement within the framework of the Stability Pact and other regional groupings is one important means to realise this potential. Closer relations with the EU is equally critical to long-term peace and prosperity. My Office continues to contribute actively to the Stability Pact and encourage BiH to embrace the regional approach, in particular in the fields of return, economy, security cooperation and judicial reform.

28. My Office is also working closely with the European Union to BiH's progress towards eventual membership. The EU's "road map" is an important short-term benchmark for BiH to demonstrate its commitment to Europe. In this respect, the "roadmap" and the agenda of the PIC are complementary means to the same end: the end of setting BiH firmly on the path to European integration.

II ECONOMY

1. - General overview of the BiH economy

29. The state of the economy in BiH is still fragile; the last macro-economic trends give mixed signals. Preliminary data for the GDP growth state about 7.1% for BiH (8.6% real increase in the Federation, 4.6% in the RS) in 1999. The trade balance is still in a difficult situation –the preliminary data for the Federation shows that just 25% of imports (2,0 bio Convertible Marks or KM) are covered by exports (0,5 bio. KM) in the first half of 2000. RS has coverage of around 30% in the first quarter of 2000. Inflation is under control in the Federation (+ 1,3% up to July compared to average 1999) but RS inflation seems to remain high: the 15% increase in 1999 retail prices could be explained by the adjustment from the Yugoslav Dinar to the KM, but preliminary data up to July 2000 are still at a level of 11,4%. The foreign exchange assets of BiH are still increasing and reached 880 mio. KM according to the Central Bank Monthly Balance Sheet by end of June 2000, exceeding the monetary liabilities by 36 mio. KM.

30. From a macro-economic point of view, the year 2000 will be critical: the current account is very likely to worsen. If the external aid slows down, the financing of the economy will be at risk. So far, the privatization process has hardly attracted significant foreign interest and financial flows. A key to medium term re-balancing of the economy is to foster private investment to replace external aid: by the end of 2000, enough reforms must be completed to attract investors in BiH in order to avoid a deep financing crisis.

2. – The May Brussels PIC and its economic goals

31. The PIC meeting in Brussels put economic reform at the center of the strategy of the IC for BiH, the objective being to deepen economic reform and create the conditions for self-sustaining market-driven economic growth, in order to avoid an economic crisis as BiH makes the transition from a donor dependent economy. This strategy is articulated along three main lines:

- Creating a single economic space
- Enabling private sector growth
- Fostering privatisations

a) Single economic space

32. In order to create a single economic space, significant steps have been taken, which either have been completed or most likely will be completed before the end of the year. I would like to highlight some of them:

- An agreed draft Law on BiH Chamber of Commerce is ready for parliamentary procedure.
- A draft Law on Statistics, prepared by the BiH Statistics Agency under the EUROSTAT guidance and in close cooperation with the IC, is ready for parliamentary procedure.
- Banks from one Entity can open branches in the other without having to satisfy capital requirements requested from foreign banks, as was the case. Micro-enterprise Bank is the first to have benefited by this new opportunity.
- Tax harmonisation is still going on and a working group has been established to review double taxation cases.
- The State Treasury Law has been approved. The BiH Treasury is already being set up. The nomination of Supreme Auditors is underway.

b) Private sector growth

33. Several new law initiatives have been started to create a more favorable environment for enterprises in BiH. Clear ownership titles form the base for any market economy. A working group on a new law on land registry and cadaster, attended by both Entities, has discussed the draft and will be preparing now the necessary by-laws by end of the year. Further progress was achieved in preparing a full set of laws in the area of standardization, metrology and intellectual property – country-wide recognized standards are the precondition for exports of processed products to the world markets. A new obligation law project was started in August and the final draft should be ready by mid-2001.

c) Privatisation

34. Tender regulations meeting international standards have been approved. 86 companies in the Federation and 52 in the RS have been selected to be tendered with the assistance of international advisors.

35. Bank Privatization and Reform: The International Advisory Group for banking sector issues, formed in November 1999, primarily focused on a unified approach to bank privatization and reform, effective regulation and supervision and deposit insurance. On May 23, I issued a decision simultaneously amending banking laws in both Entities, providing protection for bank supervisors, examiners and officials of the banking agencies from personal liability arising from the normal performance of their duties.

36. The Federation has amended the Law on Deposit Insurance in April, providing the proper legal framework for setting up a system improving the security for deposits. RS should harmonize its Law on Deposit Insurance in the next months. The IC is ready to provide considerable funds and technical assistance for the Deposit Insurance.

3. - Other economic issues

37. There are other issues that are crucial to the stabilisation and development of the BiH economy and society:

a) Public Utilities and Implementation of Annex 9

38. The Entity governments, which created in March the new, Annex 9 based, joint BiH Road Infrastructure Public Corporation (BRIC) with seat in Banja Luka, have made further progress in mobilizing the new institution. They established the required 12-member Board of Directors, appointed the Management Board and start operation in fall. The Commission on Public Corporations (CPC) has recommended establishment of three further joint public corporations for natural gas transmission, broadcasting transmission infrastructure (TRANSCO) and power transmission. Additional proposals under investigation include posts, ports and waterways.

39. Energy Sector: Electricity: Creating a viable power sector in BiH will depend on successful implementation of market-oriented reform, including unbundling, privatization, establishment of modern regulatory frameworks and institutions and on creating a common market for electricity in BiH. These requirements became particularly evident during negotiations for the 3rd WB Power Rehabilitation Project (value approx. $US230 million). My Office, in cooperation with the WB and other international agencies, has been developing and promoting a package of measures that include: creation of an independent regulatory commission for the energy market, open privatization process that will attract an optimum number of foreign investors and establishment of a joint, high-voltage transmission company.

40. Telecommunications: The new Telephone Numbering Plan for BiH has been successfully implemented and inter-connection agreements have been signed. A new policy for the BiH telecommunications sector was developed with EBRD assistance which will provide guidance for the activities of the Telecommunication Regulatory Authority (TRA). It foresees liberalization of the BiH telecom market, except for international telephone services, to be implemented by December 2000. Major measures to strengthen the role and capability of the TRA have also been underway.

b) Health issues

41. With the appearance of an epidemic level of Q fever and brucellosis both in human and animals in BiH, in the absence of reaction from local authorities or some international organizations, OHR took the lead in organizing two meetings of relevant international and local agencies to develop a plan to deal with the situation. The European Commission decided to grant a credit of 10 MEuro for this purpose. The US Center for Disease Control sent a team to BiH to evaluate the extent of the epidemics and suggest some ways of action. OHR continues to lead in the control plans for the growing epidemic.

c) Restitution

42. On 28 June, 2000 I annulled the RS Law on Restitution because the RS lacked funds to implement the law. OHR has discussed the Entities' restitution programmes with local authorities, the country's religious leaders and international organisations and embassies. If BiH were to engage in restitution, the restitution programme must be nondiscriminatory, fiscally sound and not detrimental to the country's already fragile economy.

43. In order to reduce the risks for domestic and foreign direct investors participating in privatisation and to remove a fundamental obstacle to economic growth, I issued a decision protecting buyers of privatised assets from restitutions in kind without preventing claimants for seeking legal recourse.

III RETURN

44. Roughly 29,703 minority returns have been registered up until 31 August, 2000 according to UNHCR. This is over double the number of returns during the same period of 1999. In reality the number of returns is even greater than the registered figures show, as indicative of the growing number of people who are taking charge of their own destinies and refusing to wait any longer to return home. Few if no areas in BiH can now be deemed inaccessible due to security considerations and local police now play the key role in ensuring the security of minority returns. The strongest trend emerging in this period has been the establishment of tent settlements prior to repossession or reconstruction of property, for example Tjentiste, near Foca in South-Eastern RS, and while this is positive it is also a challenge as RRTF works with donors and local authorities to direct limited resources to these spontaneous returns. Some areas have seen a high level of tension, notably Kopaci near Srpsko Gorazde (South-Eastern RS) and Janja near Bijeljina (North-Eastern RS), both areas of Bosniac return to areas of current Serb majority, but these are limited and reflect unusually intransigent local positions within a larger pattern of progress.

45. Other considerations related to return, such as documentation, employment, education, pensions and access to utilities, remain a problem in many areas, and my office is working closely on the equality of citizens rights in these areas. RRTF and the Economic Task Force are working to develop economic opportunities to ensure sustainability of returns.

46. Refugee return in BiH is directly affected by return movements in Croatia and the Federal Republic of Yugoslavia (FRY). In particular, the presence of some 35,000 Croatian Serbs in the western RS creates a serious obstacle to minority return to that entity. The expected momentum in cross-border movements created by the election of a new government in Croatia has not materialized yet. Despite some small progress on the freedom of cross-border movement, the procedures for return and repossession of property in Croatia remain cumbersome. The Croatian consulates in BiH need also to provide full consular services to Croatian Serb refugees. If progress is not made on these issues, few Croatian Serbs in BiH will apply for return.

IV PROPERTY

47. The Property Law Implementation Plan (PLIP) launched on 27 October 1999, with the imposition of harmonized property legislation in both entities, has begun to make steady progress. The rate of implementation of applications for repossession of property has increased in the Federation to 21 percent of claims, and 9 percent of claims in the RS. However, the overall rate of implementation remains unacceptably low as local officials fail to take ownership of the repossession process. Progress in the Eastern RS and Croat-controlled municipalities of Herzegovina remains dismal. Cantons 1 and 6 have the highest rates of implementation. The primary impediment to increased implementation of property legislation remains political obstruction in the forms of active obstruction (cancellation of evictions, failure to follow administrative procedures, failure to solve double occupancy cases, harassment of claimants, instigation of violent incidents) and passive obstruction (failure to provide adequate

staffing/funding resources to housing offices, failure to secure alternative accommodation).

48. Most progress on implementation of property laws continues to be a result of increased IC coordination and action. Return and repossession of property are slowly becoming an administrative, rather than political, process. Yet local authorities in most cases continue to remain reluctant to implement evictions and take other difficult steps. Ordinary citizens, though, in part due to intensive information efforts on the part of the RRTF, are developing a greater respect for the rule of law, and have begun in some cases to vacate contested property before being issued an eviction order. OHR, along with UNHCR, OSCE, UNMIBH and CRPC are working to ensure that elected officials, police officers and civil servants follow suit.

V EDUCATION

49. The inter-entity Education Agreement of 10 May, 2000 is a blueprint for the gradual reform and modernization of the education scene in BiH, and will eventually pave the way to a joint core curriculum leaving ample space for the expression of the specific identities of the three constituent peoples. Deadlines for implementation of Phase II of the textbook review, production and introduction of the supplemental annexes (to the textbooks imported from FRY and Croatia) and mutual recognition of school certificates and records, as well as the professional qualifications of teachers and teacher trainers, coincide with the beginning of this school year, or the end of December 2000.

50. Other measures of the agreement will be introduced gradually: teaching of the second alphabet is to start in the second semester of the second grade of primary schools in RS and the Federation, a new course on Human Rights and Civic Education is to be introduced in both entities by the beginning of the 2001/2 school year and teachers from the other national communities are to be hired throughout the country as soon as possible.

51. In the Federation, ad hoc agreements have been brokered in a number of areas whereby Croat and Bosniac pupils share existing school facilities thus making further integration steps possible. Canton 6 authorities have issued a cantonal directive in order to generalize the implementation of such interim agreements.

52. The reform of higher education is now engaged partially through the work of the Higher Education Coordination Board; priorities include the preparation of a new legislative framework based on European standards, sector-wide strategic planning, institutional capacity building, recognition activities, quality assurance, improved financial management and administration.

VI MEDIA

53. Efforts to reform the public broadcasting sector have produced encouraging progress. There is now unprecedented cooperation between the Entity broadcasters, multi-ethnic editorial staff are being recruited and the foundation has been laid for the establishment of a countrywide Transmission Infrastructure Company. Since June, BiH is represented by the multi-ethnic Public Broadcasting Service (PBS) in the European Broadcasting Union. The Founding Board of PBS has launched regular countrywide broadcasting of international football matches in cooperation with the Entity broadcasters. In September, the embryonic PBS successfully broadcast the Sydney Olympic Games to the whole country using staff from the Banja Luka-based RT RS and Sarajevo-based RTVBiH stations. This is the first time since before the

war that all three ethnicities have conducted such an endeavour. PBS is now planning similar joint state-wide coverage of the pre-election campaign.

54. The International Transfer Agent has conducted an extensive study of the public broadcasting sector and will issue his decision on the allocation of property from the outgoing RTV BiH in October. The decision will provide the conditions for PBS and the Entity broadcasters to operate in a manner that is financially realistic, publicly accountable and in accordance with best international practice. The Transfer Agent has created an Interim Transmission Agency (ITA) for BiH that gathers all transmission infrastructure in one organization while Entity broadcasters continue to maintain the sites. The formation of the ITA represents the first step towards the creation of a Transmission Infrastructure Company. A significant number of foreign investors responded to a public call for interest issued by the ITA.

55. Given the failure of the RS Government and National Assembly to adopt adequate public broadcasting legislation that meets the highest international standards, I delivered a decision designed to move the legislative process forward. A new, more diverse Board of Governors for Radio-Television RS (RTRS) was appointed in July and assigned the task of promptly preparing a draft law on public broadcasting for the Entity. The RS Government has pledged to fulfill its financial obligations to RTRS and to create a new subscription fee arrangement that eliminates excessive service charges. However, the financial situation in RT RS remains critical with little concrete action by the RS authorities to alleviate the situation.

56. A draft Freedom of Information Law, prepared by an expert group in coordination with the OSCE and OHR, was released to the public in June and presented at conferences in both Entities. The draft law has been adopted for discussion in both houses of the BiH Parliament. Similar draft laws have been presented to the Entity governments and the OHR and OSCE hope that the Entity parliaments will begin debate on the law promptly. An expert group, including international and BiH lawyers, has begun preparing a draft Defamation Law that will be presented to the parliaments later this year. I view both laws as crucial to ensuring that citizens enjoy their constitutional right to Freedom of Expression and that elected representatives and governmental agencies are held accountable.

57. The Independent Media Commission (IMC) has worked in accordance with the request of the PIC to "evolve" into a Telecommunications Regulatory Agency of BiH. From June 1, 2000, all IMC Heads of Department posts are held by BiH nationals. The number of remaining international members of IMC has been reduced from six to three and they have shifted to advisory roles. The IMC is preparing to issue long-term licenses that will require broadcasters to meet relevant international norms. In close consultation with Entity authorities and the Telecommunication Regulatory Agency, the IMC is working to ensure development of a fully coordinated frequency plan. IMC has assisted with efforts to develop a Transmission Infrastructure Company and holds a seat on the Board of the ITA. The IMC has worked to ensure better population coverage for the national broadcasters, launched the Advertising and Sponsorship Code and helped BiH journalist organizations in the establishment of a BiH Press Council.

VII JUDICIAL REFORM AND HUMAN RIGHTS INSTITUTIONS

1. - Judicial Reform

58. In the RS, the High Judicial Council and the High Prosecutorial Council established pursuant to the recently adopted RS Law on Courts and Court Service and Law on Public Prosecutors Office have begun their work in earnest. These councils provide for a non-politicized mechanism for the appointment, discipline and dismissal of judges and prosecutors. Under an 18 months period of "extraordinary review" the councils will scrutinize all sitting judges and prosecutors to make sure they meet basic standards of education and training and have proven capable of independently and impartially performing their functions. To ensure that the structures and principles provided for in the judicial service legislation are properly implemented, the review is currently performed under international oversight by UNMIBH/JSAP. Under a similar legal structure, provided for in the imposed Federation Law on Judicial and Prosecutorial Service, the Federation and cantonal judicial commissions have commenced the processes of judicial review.

59. The Coordinating Board for education of judges and prosecutors has been established in order to draft the Law on judges and prosecutors Institute in both entities. The main role of the Institute would be to offer additional education to judges and prosecutors in RS and Federation as well as to lawyers that are preparing to pass the bar examination.

60. In order to provide a coherent, consolidated approach to the issues of judicial reform and the promotion of the Rule of Law, an Independent Judicial Commission (IJC) that will lead the implementation of judicial reform programs is currently being established. Among other things, the IJC will be the focal point for international assistance to judicial reform initiatives, assist in the identification and design of specific programs, monitor the status of the judicial system (including assuming responsibility for the supervision of the judicial councils and commissions), and support domestic training organizations. The IJC is attached to, but separate from, the OHR. It will operate independently on a day-to-day basis, reporting to me, and my Office will provide it with the means it needs to effectively execute its authorities and responsibilities. Key international organizations operating in BiH, among them UNMiBH, OSCE, and the Council of Europe have expressed their support for this initiative. Embassies have expressed interest in seconding staff and otherwise supporting the organization. Recruitment of staff is commencing and is expected to be completed by December this year. The IJC will be operational from January 2001.

61. It is of great symbolical significance that the Herzegovina-Neretva Cantonal Court, with panels consisting of representatives of all three peoples presiding, has began to try war crimes cases on Bosnian soil. In a recent case, three Bosniacs (former members of the Armija BiH) charged for the July 1992 murders in Konjic of five Bosnian Serbs were found guilty of war crimes against civilians. Before commencing with the trial, the case had been reviewed by the ICTY Office of the Prosecutor, as required under the "Rules of the Road". In a currently pending war-crime case, the Court has issued bills of indictment against 5 Croats. At present time, three out of five have surrendered voluntarily.

2. - Human Rights Institutions

62. The three RS Ombudsmen have been appointed and have taken up their duties in Banja Luka.

63. Over one year after the deadline for implementation of the Human Rights Chamber decision regarding the reconstruction of mosques in Banja Luka, RS and city authorities continue to evade their responsibility and obstruct the issuance of reconstruction permits. I have intervened before the responsible RS authorities to ensure full compliance with the HR Chamber decision, which is one of the conditions for accession to the Council of Europe.

64. The Mostar "Liska Street" incident of February 1997, denounced by the Security Council, in which 20 persons were injured and one killed during a visit to a cemetery for Bajram, is now under criminal investigation by Mostar judicial authorities, pursuant to recommendations contained in a Special Report of the Ombudsman of BiH.

VIII Legal issues

65. My Office has continued to further institution building at state level. In co-operation with the Venice Commission a draft law has been prepared with a view to establishing a State Court. This law will fill the lacuna of judicial competence in civil and criminal law matters at the state level. A common working group composed of members of MCAC and of my Office will start as from the beginning of September 2000 to prepare a final draft which it is hoped will be adopted by the Parliamentary Assembly of BiH before the end of this year.

66. My Office has also taken the initiative, following the recommendation of the Venice Commission in favour of a merger of the Chamber of Human Rights and the Constitutional Court of BIH, to take the first steps with a view to implementing such merger.

67. The law on the Civil Service of BIH is in an advanced stage of drafting. This legislation once in force will constitute an essential step towards the establishment of a merit-based Civil Service.

68. A Political Party Financing Law was drafted within my Office and this law has been adopted by the BiH Assembly. The law is aimed at promoting transparency, openness and fairness in political life and at curbing levels of political corruption. The drafting of a Conflict of Interest Law is ongoing in collaboration with the OSCE. This proposed law will enshrine the best modern practice on ethics in public life.

69. The RS National Assembly recently passed amendments to the RS Citizenship Law, which is now fully in compliance with the BiH citizenship law. However the Federation has still not passed its citizenship law. That Law needs urgent approval as otherwise former SFRY citizens entitled to BiH citizenship as of January 1, 2000, cannot apply for and acquire BiH citizenship.

70. The draft RS Criminal Code was adopted at the 11th RSNA session and the draft Criminal Procedure Code is now being finalized.

IX MILITARY ISSUES

1. - Defence and Security Reform

71. There still remains an urgent need for Bosnia and Herzegovina to establish a state level security policy. The Presidents, at the 21st session of the Standing Committee on Military Matters (SCMM) on 17 May, 2000, mandated the Council of Ministers (CoM) to develop the security policy and the Defence Ministers' Working

Group to develop defence policy. Since May, the Group has developed an agreed synopsis, time line and work plan, with the aim of delivering a single defence document by the end of this year.

2. - Developing a state level Defence Institution

72. My Office is currently working on the development of the SCMM Secretariat in order to create a small coherent policy staff. This is the first step in what will be a lengthy process to develop a state dimension of defence.

3. - Re-structuring of Entity Armed Forces

73. SFOR continues to lead the work on re-structuring of the Entity Armed Forces (EAF) with a view to achieving the agreed (second) 15% reduction in EAF by the end of 2000. Once again, progress has been extremely slow and as a result, COMSFOR outlined his plans at the end of June to use the Joint Military Commission (JMC) to take re-structuring work forward.

4. - De-mining

74. The recent appointment of a Strategic Advisor to begin work on the evolution of the de-mining area should help not only to reassure donors that their contributions are being used effectively and efficiently, but also to combat corruption and provide the de-mining programme with a high level of integrity. I have requested the CoM to remove the three de-mining Commissioners, who were shown in the recent investigation by the World Bank to have varying degrees of "conflict of interests". New long-term structures are being developed under the political responsibility of the MCAC and if we are to restore donor confidence, we need to prove that these structures are both cost effective and transparent.

5. - Air Traffic Control Services

75. BiH still does not have a functioning civil aviation administration capable of discharging its international obligations and regulating safety and security of civil aviation. In a joint letter dated 12 July, 2000 that COMSFOR and I addressed to the BiH Council of Ministers (CoM), a number of specific deficiencies and major areas of concern were raised. We recommended the CoM dismiss the three directors General of the BiH Department of Civil Aviation (BHDCA) and this they did on 24 August, 2000. At the same time, the CoM established a Working Group for civil aviation which subsequently submitted an organizational structure and year 2000 budget for the BHDCA. The BHDCA was audited by the International Civil Aviation Organization (ICAO) in July and the results of this confidential audit report were extremely negative in respect of safety and efficiency. The civil aviation Working Group is currently working to develop an ICAO-required corrective action plan in response to this audit.

United Nations A/55/500–S/2000/1000

General Assembly
Security Council

Distr.: General
19 October 2000

Original: English

General Assembly
Fifty-fifth session
Agenda item 18
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Security Council
Fifty-fifth year

Letter dated 17 October 2000 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter from the Frente POLISARIO to the members of the General Assembly and the members of the Security Council on the question of Western Sahara (see annex) and I should be grateful if you would have it circulated as a document of the General Assembly, under agenda item 18, and of the Security Council.

(*Signed*) Martin **Andjaba**
Ambassador
Permanent Representative

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Annex to the letter dated 17 October 2000 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General

[Original: French]

New York, 13 October 2000

On the eve of the Security Council's consideration of the Secretary-General's report, and on instructions from my authorities, I have the honour to inform you of the position of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) regarding the latest developments in the efforts to settle the question of Western Sahara.

Since it accepted the settlement plan in 1988, the Frente POLISARIO has engaged in faithful, constant and total cooperation with the Secretary-General and the Security Council with a view to implementing the plan and holding the referendum on self-determination, which is its ultimate goal.

It was in this spirit that the Frente POLISARIO contributed decisively to the conclusion of the Houston agreements in 1997 and accepted without hesitation the package of measures proposed by the Secretary-General during his visit to the region in November and December 1998, which gave rise to the protocols on identification and appeals that were formally endorsed by the Security Council in May 1999. It is in this same spirit that the Frente POLISARIO participated, more recently, in meetings held under the auspices of the Secretary-General's Personal Envoy in London in May and June and in Berlin in September 2000, as well as in technical discussions organized by the United Nations in Geneva in July 2000.

The Geneva meeting, which was intended to deal with the difficulties that are currently hindering the continuation of the referendum process, in particular with respect to the question of appeals, did not make any progress whatsoever. Morocco, which in London, one month prior to the meeting, had pledged to Mr. James Baker that it would cooperate in resolving the issue, categorically refused to discuss the question, which nevertheless remains the principal obstacle to the continuation of the settlement process.

At the Berlin meeting, the Frente POLISARIO accepted the proposals put forward by Mr. Baker concerning the confidence measures that were recommended in the context of preparations for the repatriation of refugees, in spite of the shortcomings of the document submitted on that occasion. As usual, the Moroccan delegation rejected the Personal Envoy's proposal on confidence measures, just as it reiterated its refusal to consider the central question of appeals that was once again proposed by Mr. Baker.

Thus, instead of cooperating with the United Nations as it had pledged, the Kingdom of Morocco, which during the past three years has increased the number of obstacles to the implementation of the settlement plan and the holding of the referendum, is today claiming that the plan cannot be implemented and is trying to replace it with an approach that seeks to shelve the plan for good and to legitimize its occupation of Western Sahara.

The Frente POLISARIO rejects this latest tactic by Morocco since it constitutes a perversion of the referendum process being conducted by the United

Nations and a blatant denial of the Saharan people's sacred right to self-determination.

In fact, the abandonment of the settlement plan, which is today publicly advocated by the Kingdom of Morocco, would result in the collapse of the whole edifice so patiently built over the past few years and of which the ceasefire is an inseparable element.

The Frente POLISARIO wishes to reaffirm, once again, its commitment to the settlement plan accepted by the two parties and supported by the entire international community, since it is convinced that only the holding of a free and impartial referendum on self-determination will allow the Saharan people freely to choose their future and settle, in a just and definitive manner, a conflict that has continued for over 25 years.

In this regard, the Frente POLISARIO wishes to reiterate that it is fully prepared to continue the dialogue and negotiations with the Kingdom of Morocco under the auspices of the Personal Envoy of the Secretary-General in the strict framework of the settlement plan, the Houston agreements and the protocols of May 1999 in order to overcome the final obstacles to the implementation of the settlement plan and to hold the long-awaited referendum on self-determination as soon as possible.

(*Signed*) Ahmed **Boukhari**
Representative of the Frente POLISARIO